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THE  
**DUBLIN REVIEW**

A QUARTERLY AND CRITICAL JOURNAL

Edited by **ALGAR THOROLD**

APRIL, 1929

EDITORIAL NOTE.

1. **THE LIBERATOR.** By Hugh A. Law.
2. **O'CONNELL AND THE IRELAND IN WHICH HE LIVED.**  
By George O'Brien.
3. **WHAT CATHOLIC EMANCIPATION MEANT.** By W. F.  
Butler, D.Litt.
4. **ILLEGAL EDUCATION: A STUDY IN IRISH HISTORY.**  
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5. **O'CONNELL AND REPEAL.** By J. W. Good.
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# THE DUBLIN REVIEW

April, May, June, 1929

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# The Dublin Review

APRIL, 1929

No. 369

## EDITORIAL NOTE

ON April 10, a hundred years ago, the Catholic Emancipation Bill was finally passed in the House of Lords by the substantial majority of 104. This great event was due primarily to the persevering efforts under Divine Providence of Daniel O'Connell, the Liberator, who in season and out of season had fought the good fight of justice and the Faith. A few years later, in 1836, O'Connell was to become co-founder, with Bishop Wiseman, of this REVIEW.

In these circumstances it is natural that we of the DUBLIN should feel ourselves specially privileged in the celebration of this first Centenary of Catholic Emancipation. In a few years we shall keep the Centenary of the REVIEW, but this, the earlier date, is in a sense its true centenary. For it was one of the first-fruits of Emancipation, and without Emancipation it could hardly have come into being.

It would be out of place for me to add anything in the nature of direct criticism of that great event to what is here said by the contributors to this Centenary Number. I have been guided in their selection by the desire that the subject should be presented in some degree of detail and from as many points of view as possible. But the circumstances under which we are celebrating our Emancipation are so very special that I cannot refrain from one additional word. The year 1929 is now not only the centenary of Catholic Emancipation in British dominions, it will in the future also remind men of an even more significant reversal of injustice. The full recognition in the civil and political order of the sovereignty of Pius XI by the restoration to the Holy See of that measure of territorial independence which the Pope himself has declared to be both necessary and sufficient, together with the signing of a Concordat with the Government of King Victor definitely

Christianizing the Italian State, is an event of such intrinsic and world-wide importance that everything else seems dwarfed beside it. The Russian philosopher-mystic Nicolas Berdiaeff has told us in the remarkable book\* in which he sums up his reading of modern history, that the period inaugurated by the Renaissance has worked itself out, and that, with that episode behind us, we are now entering on a period which he describes as "*un nouveau Moyen Age.*" The fruits of the tree of knowledge, however authentic, have again been bitter in men's mouths. The signs are not wanting on every side of a deep and sincere revival of religion, of faith and practice, and that among those very *intellectuels* who originally led their simpler brothers astray. So be it; and the event which inaugurates the new age is the signature on February 11, 1929, of the Treaty of the Lateran.

ALGAR THOROLD.

\* *Un Nouveau Moyen Age*, par N. Berdiaeff. *Le Roseau d'Or* (Plon), 1927.



## ART. I.—THE LIBERATOR

1. *The Last Colonel of the Irish Brigade.* By Mrs Morgan John O'Connell.
2. *Leaders of Public Opinion in Ireland.* By W. E. H. Lecky.
3. *Personal Recollections of O'Connell.* By O'Neill Daunt.
4. *Lives of Daniel O'Connell.* By Robert Dunlop and Martin MacDonagh.
5. *Foly Collection of Pamphlets,* in National Library of Ireland.

DANIEL O'CONNELL, the Liberator, was born in the year 1775, in the extreme west of County Kerry, of an ancient family of Catholic landowners. Each of those things bears directly upon a study such as is here proposed, one concerned less with the doings of the politician than with the personality of the man. To begin, then, with what he would himself have thought most important—the stock from which he came—let us remark that for long generations before Cromwell broke the power of the old lords of West Munster, the O'Connells were among those who followed MacCarthy Mór, and the head of the clan was hereditary constable of that great chieftain's ocean stronghold of Ballycarberry. In the wars of the seventeenth century they were on the losing side, and suffered the same fate as other Irish Jacobites. When the royal house of Stuart went down for the first time their lands were confiscated, and Maurice O'Connell, an aged man, was transplanted across the Shannon. His brother, Bishop of Ardfert, was put to death by Cromwellian soldiers. Two of his grandsons fell in the Williamite wars, and after the surrender of Limerick in 1691 the Penal night closed down upon the family in common with the rest of Catholic Ireland.

Nevertheless, in the darkness we can discern it beginning again to lift up its head. A great-grandson of the Maurice above mentioned returned presently to the district from which his people had been driven by Cromwell, and there, upon lands leased from the new owners, the Liberator's grandfather, sometime in the second quarter of the eighteenth century, built the older portions of the

existing house of Darrynane. At that time, and indeed until the century was almost at an end, Irish Catholics lived as pariahs in their own country. But much glory, if woefully little profit, was to be won in the armies of the Continent, and martyrdom was only too easily to be achieved by those who, having obtained in foreign universities the education denied them at home, returned to minister as unregistered priests to their own people. That many O'Connells were counted among the "wild geese" is plain from the casual references to kinsmen in France, Spain, and the Empire which are contained in the letters of the Liberator's uncle, General Count O'Connell; and, though the General and his cousin, Murtagh of Tarmons (otherwise known as Baron Moritz O'Connell, Chamberlain to the Empress Maria Theresa), were perhaps the only members of the family to achieve European distinction, yet it seems likely that the poorest subaltern in the army of King Louis was legitimately envied by his home-keeping brothers. Obscurity was the lot of the remnant of the Catholic gentry of Ireland—obscurity not only enforced but even willingly embraced.

A family tradition relates that Dr. Smith, the historian of County Kerry, being at Darrynane in the year 1751, took a fancy to a certain pony and offered, if it were presented to him, to give a full account of the family of his host, "whose wise son, Maurice, instantly besought him to accept the animal, but for the love of Heaven not to say a word about them, but to leave them in the obscurity which was their safeguard. 'We have,' said he, 'peace in these glens, and in this seclusion can still profess the beloved faith of our fathers. But if you make mention of me and mine, then the solitudes will no longer yield us an asylum. The Sassenagh will scale the mountains of Darrynane, and we too shall be driven out into the world without a home.'"

Now, however, that the safeguard is no longer needed, we may try to discover in what fashion the O'Connells lived during the last quarter of the eighteenth century, what were their thoughts, their physical surroundings, their relations with neighbours, rich and poor—what, in

short, were the traditions and usages in which the Liberator was bred.

In the first place, then, the O'Connells can have had almost as little concern with the doings of great folk in London as if Darrynane had been situated on an island in the Pacific ; and hardly more concern or closer contact with Dublin itself. The letters that reached them brought news of foreign countries and far places, of Paris, Madrid, Vienna ; just as today the letters received in Irish peasant homes hail, most commonly, from one or other of the great cities of the North American Republic. Apart from these, the family's thoughts and interests can seldom have strayed beyond the bounds of its own remote and solitary peninsula.

North of the Kenmare River, a rugged headland, even now little known to tourists, juts out into the Atlantic. Close to its extreme western end, shut in to the north by mountains 1,500 to 2,000 feet high and having for neighbour the ruins of an ancient abbey, stands the mansion house of Darrynane. On the land side access in those days was by an unfrequented bridle-path ; on the other lay a little harbour not easily visible from the sea and protected by an intricate and rocky passage. As for the house, while its considerable size and dignified interior bore witness to the reviving fortunes of the owners, yet, remote and hidden as it was, it seemed still to shrink from notice, resolutely turning its back on the sunshine and looking into a walled courtyard planted with trees. Here everything spoke of the Faith—from the piously preserved skull of a friar hewn down by a Puritan while celebrating the Holy Sacrifice to the mulberry tree reputed to have been planted by the old monks, or the hollow in the sand-hills where Mass had often been said with sentinels on the watch during the worst of the Penal days.

To this old house, soon after his birth, came young Daniel O'Connell, recognized as heir to his childless uncle ; and here his education, begun by a hedge-schoolmaster, was continued by one of those French-bred Irish priests of whom a long succession had found shelter at Darrynane.

In addition to the Gaelic, learned from his foster-parents (for in accordance with ancient custom then not yet disused he had been sent to nurse during the first years of his life with a peasant family), he early acquired proficiency in the French and Latin tongues. Here, too, he knew Nature at her wildest, and as a boy practised those mountain sports which still delighted his extreme age. I believe that it would be impossible to exaggerate the influence of this bringing-up upon Daniel O'Connell's character; and I feel sure that many things in that character which appear puzzling and contradictory become perfectly intelligible as soon as one realizes that he represented in the machine-made and machine-like nineteenth century a type which, once common in all Western Europe, had by this time disappeared from England.

O'Connell was indeed very far from being the vulgar demagogue that English newspapers delighted to paint him. Few politicians could truthfully boast a longer pedigree. But there was undoubtedly in him a good deal of the *hobereau*, half country gentleman, half peasant. The same Daniel O'Connell who in the company of his social equals was the gentlest and most agreeable of companions, who was described by a great London hostess as having in conversation with women the courtly manners of a French Abbé of the old school, could on occasion cross-examine a peasant witness in the peasant's own idiom and deliver speeches to a great popular assembly in the language exactly suited to its comprehension—language (it must be admitted) too often rough, scurrilous, and truculent. In all this there is nothing astonishing. The type, modified indeed but unmistakable, lingered to our day in out-of-the-way parts of Ireland, and, I believe, of Scotland also. In Ireland, at any rate, it must, even in the late eighteenth century, have been the rule rather than the exception, more especially among the survivors of the old Catholic gentry. The status of those was curiously anomalous. On the one hand they were, by this time, permitted the free exercise of their religion, and their relations with Protestant neighbours had for the most part become friendly enough. On the other hand, the law, still reluc-



tant to admit that such persons existed except for purposes of punishment, excluded them from all schools, universities and professions, and forbade them to wear the arms appropriate to their rank. Though active persecution had ceased, the Penal Code still stood unrepealed, and the evasions which alone rendered life tolerable still brought them in daily peril of the informer. They lived in consequence curiously isolated lives, brooding much upon the past, cut off from association with the majority of the class to which by birth they belonged, but on terms of such natural intimacy with the peasantry about them as today is unattainable by occupants of the "Big House."

Of this life Darrynane in O'Connell's boyhood must have offered a perfect example. The head of the house, Maurice, was an elderly gentleman of strong character, great shrewdness, and no little eccentricity.\* A capable farmer and a good judge of horses and cattle, he had accumulated considerable wealth, which he expended in the enlargement of his estate. Catholics being forbidden to acquire lands by purchase, he had recourse to the good offices of a kinsman who, having conformed to the Establishment, was very willing, until in old age he felt his end "too near to allow him to perjure himself any more," to assist the owner of Darrynane to evade a law which was neither respected nor respectable. With Maurice lived his aged mother, Maire ni Dhuiv (Mary of the Dark Folk), as in accordance with old Irish usage she was still known after her marriage—by birth an O'Donoghue of the Glens, and granddaughter of Mr. Froude's "great and terrible Papist," Donal O'Mahony. This Donal it was who in the early years of the eighteenth century held all South Kerry with his four thousand followers in despite of Hanoverian laws and agents, and who, dying, left to his daughter (great-grandmother of the Liberator), as to the only person in the barony worthy to wear them, his velvet breeches. Maire ni Dhuiv was a true descendant of the old Tory; and to the day of her death a strong ruler of household and clan, a scorner of all new-fangled

\* Commonly known as "Hunting Cap," because of his having taken to this form of headgear as a protest against the imposition of a tax on beaver hats.

ways and a mighty champion of family and local tradition. Others of her two-and-twenty children had also their home at Darrynane, and in addition the tables were regularly set for many guests. In and about the house went great hordes of servants and dependents busied with the varied tasks which life in such an out-of-the-way place demanded.

"The corn was threshed with flails, winnowed by hand on the winnowing crag, ground in the quern, and made into various sorts of bread—fine white cakes for the family, 'breac' bread (*i.e.*, speckled or spotted cakes) of whole meal for the servants. The flax and wool were carded and spun. Pumps being unknown, the servant girls had to carry all the water from wells. Turf had to be cut, saved, and carried in. Besides our modern pickling and preservings, there were wholesale slaughtering and saltings of beeves in autumn, salting of hides, candle-making of the fat. Every labourer got salted hide to make two pairs of brogues. Add to this the ordinary toils of the house, the kitchen, and the stable, and you get some idea of the gangs of people an old-fashioned lady had to rule over."\*

These gangs were the more numerous because the small mountain tenants paid their rents most commonly not in money but in kind or labour, as I myself have known to be done in County Donegal in years immediately preceding the Great War. The work of the men of the family doubtless lay out-of-doors, in superintendence of the home farm, and in dealings with horses and cattle. For sport, there was the shooting of grouse, snipe and woodcock, hunting the hare afoot, and fishing for salmon, wherewith to vary a too monotonous diet of fresh or salted beef;† while for further diversion there were journeys twice a year to the Tralee Assizes and to the County Limerick fairs, visits to friends' houses, and occasional junketings in Cork—as when it is recorded that a member of the family had been to see "a Turk who danced and sang and did the most surprising equilibres on a wire hung across the stage in the play-house."

\* *The Last Colonel of the Irish Brigade*, by Mrs. M. J. O'Connell.

† Oysters, it may interest some people to note, could be purchased in Tralee in the year Daniel O'Connell was born for three pence a hundred.

Another occupation, combining the advantages both of sport and of business, was what was known as "free trade." There is, or was until recently, preserved at Darrynane a mass of old papers from which it can be seen with what regularity this trade was carried on, with how little interference of the authorities, and with how much hearty co-operation of the neighbouring gentry, as well Protestant as Catholic. "The old smuggling bills," Mrs. Morgan O'Connell remarks, "show nearly every great name on the Grand Jury list as engaged in these ventures, and one in which the countenance and actual bodily presence of the Sheriff himself are promised for some special occasion." The goods sent out were butter, salted hides and fish, linen and wool, which last named, even after the repeal of the Acts forbidding export to countries other than Great Britain, seems to have fetched a considerably higher price in Continental markets. The goods brought in were tea "usually bohea or black tea," sugar, tobacco, brandy, claret, silks, and velvets. The ladies of the family took an active interest in the affair, having each her own separate account. Thus the more recent bills set out year by year the purchase of "a piece of rich black silk, silk stockings, fine French shoes, and cambric," for the use of the Liberator's grandmother, the Maire ni Dhuiv before mentioned.

Altogether it was a primitive and patriarchal life this of Darrynane, deeply rooted in the past and in strange contrast with that new, prim, and somewhat bourgeois civilization which the early growth of industrialism was just about this time beginning to impose upon Great Britain. To traditions, at once legitimist and lawless, to associations half gentle, half peasant, has however to be added the influence of something hitherto unknown to either—the newly born idea of Democracy. Daniel O'Connell's birth synchronized with the revolt of the North American colonists, his adolescence with the greater Revolution in France. With the first of these there is every reason to think Darrynane sympathized; between the Jacobins and this Catholic and Royalist house there could be nothing in common. One might resent the coming of the "new

strangers,"\* rage at the insolence of Protestant squireens, drink to the King over the Water in claret all the more agreeable to the palate for having paid no tax to the usurper; one might have heard with equal pleasure of Fontenoy and of Bunker's Hill, and have subscribed to buy arms for Grattan's volunteers, though debarred by one's religion from serving in their ranks. But when there was no longer a King of France, unless it were the poor child slowly dying in prison; when in that country which had sheltered so many of the clan, altar as well as throne was threatened and insulted; when, on the other hand, England had in turn become for Count O'Connell and other Irish officers of the French service a place of refuge—then it was time to revise one's ideas.

As early as October 1789 a friend of the family, the Abbé Edgeworth—he who ministered to Louis XVI upon the scaffold—had written to Bishop Moylan of Cork:

"I suppose that your newspapers have already acquainted you with the details of our astounding Revolution, and I doubt not that more than once you may have thought they had exaggerated that event; but the French people of today nowise resemble those you knew long ago. . . . Modern philosophy has destroyed all religious principle and all the ties that bound society together. Unbelief has affected all classes, from master to valet. If this lasts a few years longer, nothing will be left of the Frenchmen of other days than their language and their name."

As a young man Daniel O'Connell came into direct and disagreeable touch with Frenchmen of the new order. Not long after the above letter was written, and while it was still possible to expect a peaceful end to the troubles, he had been sent with a younger brother to complete his education at St. Omer. In August 1792 the boys were transferred to Douai; whence, the disorders in France ever increasing, they were called home on January 21, 1793, the day of Louis XVI's death. On the way to Calais the carriage was surrounded by a jeering mob which reviled them as "priestlings" and "young aristocrats."

\* The name by which in Ireland the post-Reformation planters were known, as distinguished from the "old strangers," descendants of Norman and other earlier adventurers.

For safety's sake they had been persuaded to wear tri-colour cockades ; but no sooner were they on board the Dover packet than Daniel flung his into the sea. During the crossing they heard a passenger—and he, to make things worse, a fellow-Irishman\*—boast that he had been present at the King's execution, and with disgust saw him exhibit a handkerchief stained with the blood of "the Tyrant." Small wonder that Daniel O'Connell landed in England (as he himself said long afterwards) a Tory at heart. To London, his uncle, Count O'Connell, had preceded him, and was at this time engaged upon negotiating with Pitt the transfer to the British service of the remnants of King Louis' Irish Brigade.† It is certain that these experiences were the source of Daniel O'Connell's unvaried opposition to all idea of armed revolution in Ireland, and of his abiding horror of insurrectionary violence.

But if he hated Jacobin excesses, his was too generous a nature not to be repelled also by the reprisals to which these excesses in turn give rise ; and his attendance as a law student at the trial of Hardy and others for sedition set his mind in a new direction and "ended by fully and finally converting him to popular opinions and confirming his natural detestation of tyranny." Moreover, like many of his contemporaries, he was much influenced at this period of his life by such books as Goodwin's *Political Justice* and Paine's *Age of Reason*. For a while he seems to have doubted if the Faith of which he was to be so stout a champion was not, in part at least, a vain superstition.

"Religious subjects," he writes in his diary under the date January 20, 1796, "absorb much of my attention. The prejudices of childhood and youth at times frighten and shake the firmness of my soul."

\* John Sheares, afterwards executed for participation in the rising of 1798.

† Count O'Connell received command of one of the five regiments thus transferred, and served with it in the West Indies. He returned to France after the Restoration and was created a Peer of France and Grand Cross of St. Louis. Later, refusing to recognize the Orleanist usurpation, he was a second time deprived of his military pension, and retired to his stepson's château near Blois, where he died in 1833, holding the rank of a General in the French Army and of a Colonel in the British.

Doubts of this description were soon shaken off; but the political bias remained. Ever afterwards, while abhorring and denouncing violent revolution, O'Connell's sympathies were with the oppressed, whether in his own country or in England or in Poland or in the slave-owning States of North America.

In November 1796, having completed his terms at Gray's Inn, he returned to Ireland and was called to the Bar, which had three years before been thrown open to Catholics by an Act of the Irish Parliament.\*

Before settling down to work, however, he paid a visit to his beloved Darrynane, a visit during which he had the misfortune to give his uncle some occasion to augur unfavourably of his prospects of professional success. Here is an extract from a letter written by Maurice O'Connell to Daniel's mother :

"Your son left this ten days ago, and took with him my favourite horse. Had it not been for that I might have dispensed with his company. He is, I am told, employed in visiting the seats of the hares of Cularig, the earths of foxes at Tarmons, the caves of otters at Bolus, and the celebration of Miss Bushe's wedding at Derreen—useful occupations, laudable pursuits, for a nominal student of the law ! The many indications he has given of a liberal mind in the expenditure of money have left a vacuum in my purse as well as an impression on my mind not easily eradicated."

All which, though pardonable in an elderly relative deprived of his favourite horse, speaks poorly for Hunting-Cap's power of divination. The criticism, so far as it concerns his nephew's want of prudence in money matters, proved itself indeed to be but too well-founded, but for the rest the old gentleman need have had no fear. At the very first assizes he attended, Daniel O'Connell gave proof of that uncanny insight into the peasant mind which, combined, as it was, with utter fearlessness, eloquence, wit, and solid learning, soon made him the most eagerly sought-for advocate at the Bar. During his second year he earned over £400 ; and for some years prior to 1828, when he retired from regular practice to devote himself

\* Catholics were, however, excluded from the Inner Bar and from Judicial Office until 1829.



wholly to political work, his fees had averaged more than £8,000 a year.

In order to appreciate the significance of these figures, it must be borne in mind that the totals (as O'Connell's fee-book shows) were made up of very small individual sums, the emoluments of a stuff-gownsmen at a Bar which has never enjoyed a customary scale of fees on anything approaching the English level. Perhaps the most astounding aspect of the movement which culminated in the passing of the Catholic Relief Act of 1829 is that the man who for years carried it on almost single-handed, and who from first to last had the chief share in the incessant labour involved, was during the whole of those nineteen years the busiest member of the Irish Bar. Certainly only one of O'Connell's titanic strength, temperate habit and sanguine temperament could have borne the double strain of his professional and public work. In this connection I think it of interest to quote some passages from a description of O'Connell\* as he appeared to an observer in 1825 :

"His frame is tall, expanded, and muscular, precisely such as befits a chief of the people; for the physical classes ever look with double confidence upon a leader who represents in his own person the qualities upon which they rely. . . . These popular gifts of nature O'Connell has not neglected to set off by his external carriage and deportment—or perhaps I should rather say that the same hand which has moulded his exterior has supersaturated his inner man with a fund of restless propensity which it is quite beyond his power, as it is certainly beyond his inclination, to control. . . . The labours of the most laborious of professions cannot tame him into repose: after deducting the daily strains of the study and the courts there remains an ample residuum of animal spirits and ardour which go to form a distinct and a predominant character, the political chieftain. . . . See him in the streets, and you perceive at once the man who has sworn that his country's wrongs shall be avenged. A Dublin jury (if judiciously selected) would find his very gait and gestures to be high treason by construction. As he marches to Court he shoulders his umbrella as if it were a pike. He flings out one factious foot before the other as if he had already burst his bonds and was kicking the Protestant ascendancy before him, while ever

\* Anonymous, but said to be by R. L. Shiel (Joly Collection of Pamphlets).

and anon a democratic, broad-shouldered roll of the upper man is manifestly an indignant effort to shuffle off the oppression of seven hundred years."

It does not lie within the compass of such a study as this to set out O'Connell's life in detail. I have tried so far to suggest the influences which helped to form his character; I propose now to consider how that character revealed itself in his public life. But first of all it may be well to deal with the charge most commonly brought against him. It is suggested plainly enough by his nickname "the Big Beggarman." Most English people undoubtedly believed that O'Connell was a venal person who kept an agitation constantly on foot, nominally for the sake of Catholic Emancipation or Land Reform or Abolition of Tithe or Repeal of the Union, but really for his own sake, to serve his own ambition and to put money into his own pocket. I daresay no one holds that notion nowadays, at least in its cruder form—but O'Connell's reputation still suffers from the calumnies that were so confidently put about during his lifetime.

Now, so far as his professional prospects are concerned, it is obvious that these would be advanced by a repeal of the statutory provisions which shut Catholics out from the Inner Bar and from the Bench. Had O'Connell been animated by motives of enlightened self-interest, his natural course would have been to have dropped out of public life once the Catholic Relief Bill had been passed. What in fact he did was exactly the reverse. He dropped his practice at the Bar, and twice refused high Judicial Office. Why did he act in this manner? No doubt the Catholic—and later the Repeal Rent—placed enormous sums at his disposal—sums sometimes much in excess of a judge's salary or the fees of even the most successful of Irish advocates. But no one had better cause than O'Connell to know how uncertain are the financial prospects of agitation, how quickly enthusiasm cools, how easily the springs of public generosity are dried up. Even if the money thus obtained had been, every penny of it, available for his own private



use—instead of being, as in fact it was, required to finance a nation-wide organization and meet the expense of dozens of contested elections, election petitions and Heaven knows what besides—O'Connell would have been a fool (and that at any rate he was not) if he had deliberately preferred such a gamble to the assured profits of the Bar or the dignity and sufficient salary of the Bench. Why, then, did he act as he did? I see no reason to question the truth of his own answer as given in a letter to Lord Shrewsbury a good many years later :

“The year before Emancipation, though wearing a stuff gown, my professional emoluments exceeded £8,000. . . . Had I adhered to my profession I must have been called within the Bar. The severity of my labours would have been mitigated, while the emoluments would have been considerably increased. Had I abandoned politics, even the honours of my profession and the highest station lay fairly before me. But I dreamed a dream—was it a dream?—that Ireland still wanted me; that although the Catholic aristocracy and gentry of Ireland had obtained most valuable advantages, yet the benefit of good government had not reached the mass of the Irish people, and could not reach them unless the Union should be made a reality or unless that hideous measure should be repealed.”

Undoubtedly O'Connell, like Edmund Burke, was culpably careless in money matters. But remembering the services both men rendered to their country, we may say of O'Connell what Burke said of himself in reply to similar charges: “Those exertions are such as no pecuniary compensation can possibly reward—between money and such services there is no common principle of comparison; they are qualities incommensurable.”

But if O'Connell's private motives were thus unjustly suspect, so also were the principles of his public life. Irish (or for that matter English) Protestants simply could not but believe that the Catholic leader was bent on relighting the fires of Smithfield, and, blandly forgetful of the existence of the Penal Code, persisted in identifying Papistry with persecution and Protestantism with religious freedom. “I expect,” wrote so cool and usually unprejudiced an observer as Maria Edgeworth, “that our

throats will soon be cut by order of O'Connell and Co." Yet at a time when all the organs of the ascendancy were filled with insults of the Catholic religion, O'Connell never once retorted in kind ; and, whatever he thought of its wisdom, there is not the smallest reason to doubt the sincerity of his declaration that "were he given the alternative of a legislative Union or the re-enactment of the Penal Code in all its rigour, he would without hesitation prefer the latter as the lesser and more sufferable evil."

A similar scepticism rewarded his constant declarations of loyalty to the Crown. Even well-disposed people found it difficult to believe that O'Connell could really feel the admiration for George IV which he professed on the occasion of that monarch's visit to Ireland ;\* and nowadays it is almost equally difficult not to smile at his favourite description of Victoria as "the darling little Queen." But there is no reason at all to suppose that he was not entirely sincere. Exuberance of speech, whether in praise or dispraise, was one of O'Connell's most marked idiosyncrasies. Neither the inveterate hostility of George IV to Catholic Emancipation—a hostility the harder to bear because it both repeated that of his father and belied his own earlier professions of liberalism—nor yet the fact that the personal influence both of William IV and of his successor was publicly thrown into the scale against Repeal of the Union, sufficed to shake O'Connell's determined devotion. Loyalty was bred in his bones ; and violent as were his diatribes against the ministers of the Crown, the office and person of the monarch were for him, as for Mr. Gladstone under similar trial, the object of an almost superstitious veneration.

It is equally impossible to doubt that his repeated condemnations of agrarian and political crime truly expressed his deep and constant horror of physical violence. It is beyond question that the decrease in such crime was in proportion to the spread of his influence. He risked and, for

\* Tom Moore notes in his Diary at this time : "A good deal of talk about the Royal visit to Ireland : the good sense with which the King acted, and the bad, servile style in which Paddy has received him,—Mr. O'C. pre-eminent in blarney and inconsistency."

a time, forfeited his popularity with the Dublin artisans by strongly condemning Trades Unionist excesses. Nothing would have been easier for him at almost any moment during his long political life than to have led his followers into insurrection. The difficulty was not to excite but to restrain. At the crisis of his fate, when the great Clontarf meeting was proclaimed, he preferred to bear those imputations upon his personal courage which in Ireland at least still cling to it, rather than to be false to his principles or have upon his conscience the blood of his people. Such is not the way of the incendiary.

But if violent neither in action nor in thought, O'Connell was almost incredibly violent in word; and perhaps nothing has in the long run done his reputation so much injury as this. Occasionally witty, as when he likened Peel's smile to the "silver plate on a coffin lid," his attacks on political opponents were too often merely vulgar or so exaggerated as to be almost meaningless. He used to defend this habit of his by saying that Irish Catholics had so long been unaccustomed to assert themselves that it was necessary for one of their number to show by his example in the law courts and at public meetings the possibility of outfacing the oppressor. There may be something in the plea; for undoubtedly O'Connell left the mass of Irish Catholics far more self-reliant, socially and politically, than he found them. As the late T. M. Kettle puts it: "The thunders of the Titan were often vulgar . . .; but he took his people by the twenty and the hundred thousand and shouted slaves into manhood." Yet it was a doubtfully wise lesson at best, and has had bad effects ever since. That in the beginning at any rate this extravagance of language was deliberately assumed, is shown by the fact that he could, when he chose, adapt his speech to the tastes of a very different audience. He was well over fifty when elected to Parliament, and he never achieved at Westminster such a position as he enjoyed at the Bar and on the platform. Nevertheless, we have Mr. Gladstone's word for it, that "no one in matching him with his contemporaries in the House of Commons would have relegated him to the second class,

though" Mr. Gladstone adds "it might be difficult to find his exact place in the first.\*

And now, having considered the charges most commonly brought against him, let us try to see clearly what he intended and what he achieved and to estimate his worth as a statesman and as a man. Notwithstanding frequent variations in tactics—variations easily explicable by reference to the political history of his time—O'Connell remained throughout his long political life constant to certain great purposes. First, and unique in point of achievement, stands Catholic Emancipation. Here success itself has obscured the full grandeur of his work. Only, when we remember what obstacles he had to surmount, can we realize what he did. It was not merely that he had to face the bitter opposition and considerable political influence of Irish Protestantism (now dominated by the Orange Society and no longer of that liberal temper which had for a time distinguished Grattan's Parliament), nor even the much more powerful force of English prejudice openly encouraged by Royal approval. Much worse was the timidity of the Catholics themselves, among whom the most timid were also the most highly placed. When we read that in 1807 it was regarded as a perilously rash step to petition Parliament in favour of Catholic Relief, and that as late as 1823 the Catholic Association itself was afraid of discussing the appointment of a Catholic chaplain to Newgate Gaol, we can form some notion of the difficulties in despite of which Catholic Emancipation was won.

But dearer to O'Connell's heart, because necessarily including with Catholic relief the abolition of the dreadful burden of the tithes paid by poor Catholic occupiers for the support of an alien Church, reform of the land laws and much beside, was the good government of Ireland. "A Real Union or No Union"—this was the goal towards which he steadfastly set his face.

It is true that except by the complete repeal of the Act of 1800 he had little hope of attaining it. But he was always willing to see what could be done by other

\* Article by W. E. Gladstone in the *Nineteenth Century* of January, 1889.

methods, through piecemeal abolition of the most oppressive statutes, through reforms in administration, through the concession of limited powers of autonomy.

Thus it was that we find him at one time favouring a federal solution, and at another suspending the Repeal agitation and giving whole-hearted support to the ministry of Lord Melbourne. A Real Union or No Union—it was a perfectly straightforward, and, as most people will now agree, a perfectly sound policy.

Twice only in the hundred and twenty years after 1800, and in each instance only for a very brief period, was the first alternative honestly attempted: once, in O'Connell's lifetime, by Lord Morpeth and Thomas Drummond, and once again, in our own, by George Wyndham and Sir Anthony McDonnell. The second attempt was called governing Ireland in accordance with Irish ideas; it might quite as properly be described as governing Ireland in accordance with the fundamental principles of the British Constitution. Each attempt failed, and for much the same reasons. The first failure led directly to O'Connell's final campaign for the Repeal of the Union; the second, no less certainly, to the events of 1916-1921, and the establishment of the Irish Free State.

And now to conclude—what shall be our verdict on O'Connell's abilities and character? His abilities are sufficiently proved by what he did, perhaps not less by what he sought but failed to do. His character, now that the too confident voices of praise and blame are alike silent, triumphs over all disparagement. It is not that he was without fault. Admittedly he was too much given to bombast and to personal abuse of his opponents. He showed himself in his latter days unduly impatient of, and arrogant towards, younger, equally patriotic though not necessarily wiser, men; while a mixture of vanity and good nature led him to associate with his movement some who for one reason or another reflected on it little credit.

Few politicians could have survived the ridicule consequent upon close association with that honest but quite

absurd person, Thomas Steele. When Sir James O'Connell was asked why his brother had appointed a semi-lunatic to the position of Head Pacificator of Ireland, "Pray," said he, "who the devil else would take such an office?" But these are trifles to set against O'Connell's proved singleness of purpose, his magnanimity, in deed if not always in word, towards his bitterest enemies, his consistent and affectionate devotion to the Faith.

It is less easy to find his exact place as a statesman. Mr. Gladstone, once a member of the Cabinet which in 1843 ordered the prosecution of O'Connell, does not scruple to call him "the greatest Irishman that ever lived." O'Connell, at any rate, was one of the very few who have achieved world-wide fame. Yet perhaps in no country is his reputation so little secure as in that which he served so devotedly for upwards of half a century. Nationalist Ireland had occasion during the two last years of the Great War to choose finally between the tradition and policy of O'Connell and the tradition and policy of Wolfe Tone. For good or evil she chose those of Wolfe Tone. The choice was probably inevitable; for even in his lifetime O'Connell represented a dying order, and, if I have read his character right, was, notwithstanding his democratic sympathies, essentially a man of the eighteenth century. Yet, now that the Legislative Union is no more and that we are this year celebrating the centenary of Catholic Emancipation, it would be ungrateful to forget either what he accomplished or what unaccomplished he laboured to perform. Whatever his faults or political errors, neither did his character contain anything mean or cruel nor his policy conceal anything hidden or treacherous. "In many famous persons," it has been said, "the acted life seems detached from the inner man. . . . Such was not the case with this great child of nature. Nothing in him was little, nothing was detached or heterogeneous. In the assemblage of his properties and powers he was one, indivisible and deeply cut. . . . Next to his religion, and, indeed, under the direct inspiration of his religion, his country was for him all in all. He had room for other genuine interests in his large and sympathetic

nature, but these revolved round his patriotism like satellites about a mighty planet."

It has been told me that when, some years since, search was made in the church of St. Agatha at Rome for the casket in which O'Connell's heart was placed in accordance with his dying wish, neither casket nor heart could be found. If it be so, it now matters little. What matters is that the heart while still it dwelt in his body was that which he had resolved to make it—"a heart of love." Love of country, love of his neighbour, love of God, each was found in full measure in the great heart of Daniel O'Connell.

HUGH A. LAW.



ART. 2.—O'CONNELL AND THE IRELAND  
IN WHICH HE LIVED

**D**ANIEL O'CONNELL was born in 1775 and died in 1847. He thus lived through the most eventful and formative period of Irish history. While he was still a child the free trade agitation had succeeded in abolishing practically all the commercial restraints which had oppressed Irish industry and trade for over a hundred years, and the independence of the Irish Parliament had been established. His youth coincided with the period of Grattan's Parliament, which, despite many modern detractors, conferred innumerable benefits on the country. As a young man he witnessed the Rebellion of 1798, the passage of the Act of Union, and Emmet's abortive insurrection. In his later life he ceased to witness and began to mould the history of Ireland. He attained his greatest achievement, Catholic Emancipation, in his fifty-fourth year, and he spent the last eighteen years of his life ceaselessly engaged in public affairs, both in the House of Commons and in the country. He lived just long enough to see the greatest turning-point in Irish history, the Famine. Certainly the span of O'Connell's life was a period pregnant with great events.

As it is as the triumphant advocate of Catholic Emancipation that O'Connell is most widely known outside Ireland, it is important that the precise condition of Irish Catholics in his time should be clearly understood. The Irish social structure in the eighteenth century had been designed so as to debase Catholics to the meanest and poorest occupations. Not alone were they debarred from exercising any of the learned professions, but they were deliberately prevented by law from attaining prosperity even as cultivators of the soil. Before the Union, however, principally as the result of the liberal and tolerant attitude of Grattan's Parliament, most of the statutes aimed at the economic and social as distinguished from the political degradation of the Catholics had been repealed. After the Union a certain number of lucrative positions were still closed to Catholics—for example, Judgeships, the Attorney- and

Solicitor-Generalships, the offices of King's Counsel and Master in Chancery—but, generally speaking, there was no position which Catholics were debarred from attaining on account of their religion. The only disabilities in regard to the acquisition or use of property under which Catholics continued to suffer were a disability to exercise the privileges of ownership in advowsons or rights to presentation to benefices, and the inability to purchase any manor or borough the freeholders or inhabitants whereof were entitled to vote for burgesses in Parliament.

Although, however, the letter of the penal laws had been abrogated, their spirit was still enforced. The law which prohibited Catholics from taking any lease at less than a rack rent had been repealed in 1778; nevertheless this law continued as a "rent-rule" long after its abrogation. The inferior position of the Catholics was more marked in the towns than in the country. In 1793 the office of director of the Bank of Ireland was thrown open to Catholics, but the Bank continued to tender to its directors an oath which no Catholic could take. Although this obnoxious custom was abandoned in 1830, the exclusion of Catholics was adhered to in practice. Catholics also complained that they suffered from a general attitude of contempt. Every Catholic was, in some quarters at least, presumed to be disaffected to the State and was regarded as an open or concealed rebel.

In spite of this survival of the spirit of the penal laws after their letter had been repealed, Irish Catholics as a whole succeeded in improving their position. Even in the worst days of persecution in the eighteenth century many of them had amassed considerable fortunes by trading in the towns whither they had been driven by the laws prohibiting them to own land, just as the Jews in the Middle Ages had been driven to usury by their exclusion from other occupations. After the Union these rich urban Catholics increased in numbers and importance; in 1824 O'Connell expressed the opinion that the Catholic merchants of Dublin were richer than the Protestant. Many of these people invested their savings in the purchase of landed property, which they were allowed to do by the

repeal of certain penal laws in 1781. Those who had made such purchases gained the full benefits of the rising prices caused by the war, and many of them amassed a considerable fortune. A new Catholic aristocracy, of landlords as well as merchant princes, was in process of formation.

The very fact that many Catholics were advancing in this way only served to emphasize their political disabilities. It was rightly felt to be an intolerable injustice that the great majority of the people in the country, many of whom were successful in business, in agriculture, and in the professions, should be excluded from the right of expressing their views in Parliament. It was this sense of injustice that provided the motive force of O'Connell's agitation. The real importance of Catholic Emancipation was not derived from the magnitude of the evil which it ended; all the really oppressive penal laws had been repealed many years earlier; it derived its importance rather from the fact that it restored to Catholics their self-respect and enabled them to face their fellow-countrymen of other creeds as equals in every way.

Next to Emancipation, the question that moved O'Connell most deeply was that of tithes. The reform of the tithe system was the only agrarian problem on which he felt strongly. This was partly, of course, because the payment of tithes for the upkeep of a Protestant Church was one of the grievances felt with peculiar hardship by the Catholic population, who were also at the expense of maintaining their own clergy and places of worship. The tithe system seemed like a relic of penal days; Emancipation was incomplete so long as this oppressive burden continued. O'Connell's general attitude of respect for proprietary rights did not extend to tithes, which he regarded as resting on a foundation of essential injustice. On this question he departed from his insistence on agitating within the strict letter of the law; while always refusing to countenance violence, he not only preached, but practised passive resistance against the payment of tithes.

The two questions—apart from Repeal—on which

O'Connell felt most deeply were, as we said, Emancipation and the tithe system. Although these questions were of great importance, the surviving penal laws and the tithes were grievances of relatively minor magnitude in the Ireland of the time. The really disconcerting feature of the country was that the population was growing at the same time larger and larger and poorer and poorer. Several causes had combined to stimulate the increase of the always prolific Irish people in the early years of the nineteenth century. The high price of food during the war had rendered agriculture so profitable that a living could be derived from a very small farm, and subdivision of holdings was thus encouraged. Moreover, the landowners further encouraged this tendency because it peopled their estates with people who usually obeyed orders tamely at elections. In response to these two artificial stimulants, the process of subdivision continued apace, accompanied, naturally, by a large increase in population.

The tide, however, had begun to turn about 1820. The falling prices after the war rendered the cultivation of the smallest farms unprofitable, and landlords became desirous of consolidating holdings and rearranging their estates. This desire was increased by the provision in the Catholic Emancipation Act abolishing the forty-shilling franchise. Henceforth there was nothing to be gained from the possession of an "army of freeholders." Moreover, the "army" had shown that it knew how to mutiny, and that it could no longer be trusted to obey orders blindly. By a curious irony, O'Connell's very triumph increased the anxiety of the landlords to clear their estates. After 1830 the evictions became fast and furious. The wretched peasants, expelled from their miserable holdings to which they clung desperately, were thrown on a world where no provision had been made to receive them. Manufacturing employment in Ireland was not sufficient to absorb a multitude of unskilled hands; industry had been deliberately retarded by centuries of industrial restraint. Many of the evicted peasants died of starvation, others drifted into the slums of Dublin and the other big towns, while others emigrated to England and Scotland, where they formed

the poorest, most degraded, and most despised element of the population.

It is a matter of controversy whether these clearances were necessary in the interests of the remaining tenants or of the agriculture of the country. But even if it be assumed that they were necessary, they should obviously have been accompanied by some measures designed to palliate the sufferings of the victims during the period of transition. There was no lack of discussion at the time on the methods that should be adopted to secure this desirable end. An important Commission was appointed by the Government to advise on the whole question of the relief of the Irish poor. This body, which was composed of many influential and well-informed Irishmen, made certain definite and perfectly practicable recommendations. A scheme of State-aided emigration was suggested as the solution of the immediate problem caused by the evictions; but such a scheme was to be regarded only as a prelude to an extended "course of amelioration" consisting of a bold plan for providing employment by the improvement of the country's agricultural resources and the skill of the people. These proposals were completely rejected by the Government, which adopted, in their place, the scheme of a poor law based on the English model—a proposal which the Poor Inquiry Commission had emphatically and unequivocally condemned.

It will probably be admitted by everybody to-day that the introduction of the poor law into Ireland was a mistake of the first magnitude. The Government was undoubtedly influenced by two considerations in adopting a course diametrically opposed to the advice of its own chosen advisers: first, a desire to stem the tide of Irish immigration into England, where complaints were rife that the cheap Irish labour was lowering the rate of wages; and second, a desire to facilitate the process of clearing estates in the real or supposed interests of agriculture. O'Connell, in common with a vast body of Irish opinion, opposed the poor law. In his speech in the House of Commons he stated his objections to the proposed measure, and outlined an alternative policy closely modelled on the report of the

Poor Inquiry Commission. His programme was a three-fold one, including a scheme of State-aided emigration, a heavy tax on absentee landowners, and a large expenditure on public works designed to increase the permanent resources of the country. It is interesting to observe that on this occasion O'Connell acted in opposition to the wishes of most of the Catholic hierarchy and in agreement with Dr. Whately, the Protestant Archbishop of Dublin.

After the establishment of the poor law system the state of Ireland grew rapidly worse. The evictions increased; the newly-founded workhouses, filled to overflowing, became hotbeds of misery and disease, and the emigration continued to flow in the old unregulated course. If an indictment were to be drawn up against the governors of Ireland at that time, possibly the most serious count would be the neglect to do anything to regulate and control the apparently inevitable emigration. Assuming that a large amount of emigration was rendered necessary by the circumstances of the country, it should unquestionably not have been allowed to take place in a manner which inflicted the greatest possible suffering on the emigrants and the greatest possible injury on the country. If whole families had been assisted to travel comfortably and to settle on properly stocked holdings in the colonies, the whole story of Irish emigration would have been different. As it was, the best went while the worst remained behind, and the sufferings of the emigrants, both during their voyage and after their arrival in America, are impossible to describe.

The Government was readier to take counsel than to take action. Ireland was like a sick man whose physicians engage in elaborate consultations, but neglect to administer any treatment. Having ignored the findings of one Commission, the Government hastened to appoint another. While the evictions and emigrations went merrily on and the sick country was rapidly approaching the convulsive seizure that was to overtake it in a year or two, the Devon Commission pursued its deliberations. O'Connell gave evidence before this body, and it is from that evidence that it is possible to gather his views on the agrarian question. It is probable that such views as he had on this matter



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developed rather late; his early years were preoccupied with Emancipation and tithe reform, and his later years with Repeal. It was only the growing pressure of the problems of Irish economic life following on the clearances and the poor law that aroused him to the necessity of formulating some policy for securing the welfare of the country, in addition to the Repeal of the Union, which at one time he appears to have regarded as a panacea.

O'Connell was himself a landlord. His enemies said he was a bad landlord, but impartial investigation acquits him from this charge. He may have been a careless landlord, and he certainly owned a property where poverty and destitution were unfortunately only too visible, but there is no evidence that he was harsh or oppressive in his dealings with his tenants. Indeed, part of the wretchedness of his estate was due to his softness of heart, because he allowed peasants who had been evicted from neighbouring properties to squat upon his land. A letter is preserved which he wrote to his agent during an epidemic of cholera in which he gave instructions that the whole available resources of the estate should be devoted to easing the sufferings of his tenants. He never cleared his estate; if one family was removed another was installed in its place; and the right of free sale by the outgoing tenant was always recognized and encouraged at Derrynane. It is therefore most unfair to suggest, as has sometimes been done, that O'Connell was blind to the evils of the Irish land system, or that he was a landlord who regarded the rights of landed property exclusively from the viewpoint of his own class.

At the same time, it would be equally untrue to represent O'Connell as an agrarian revolutionary. He regarded all property—with the possible exception of tithes—as sacred and inviolable, and he would have no traffic with "no-rent" campaigns and similar methods of agrarian agitation which he regarded as immoral. O'Connell did not recognize Captain Rock. His general attitude towards the land question was that, while property was an inviolable right, it should be used and not abused, and that if any class were guilty of habitual abuse of their rights, they should



be restrained by law from continuing to do so. He fully realized that the tenant's position in Ireland was rather that of a dual owner than that of an English tenant, and he consequently thought that the law should recognize those customary rights which were observed in Ulster and on his own estate. In his evidence before the Devon Commission he stated that he was in favour of the legal recognition of the Ulster custom, statutory provision for compensation for improvements, the repeal of the Acts which facilitated and cheapened eviction, and the imposition of an absentee tax. Some of these suggestions were afterwards adopted by Mr. Gladstone in his Land Act of 1870, but they were then too late. If they had been adopted in O'Connell's own time, they would have spared the Irish tenantry a great deal of the suffering which they experienced at the hands of the new harsh landlords who purchased estates under the Encumbered Estates Act. O'Connell's land policy was at the same time conservative and constructive; if it had been accepted by those in power many of the more extreme methods of dealing with Irish land might have been rendered unnecessary.

The Devon Commission duly presented its report, but, as usual, nothing was done. The physicians went on talking while the sick man grew worse and worse. Suddenly the climax came, and the elaborate discussions on the best treatment to be adopted were interrupted by the need of devising means of keeping the patient alive from hour to hour. The Famine completely altered the whole nature of the Irish problem; an urgent crisis had arisen for which immediate remedies had to be sought without any further consultation or delay. The history of the Famine years has often been written, and the Government's relief measures have been held up by different writers, on the one hand to obloquy, and on the other to approval. All we need say here is that, even when these measures are given the fullest credit for being well-intentioned, they must be condemned on the ground that they were expensive, ill-conceived, and badly administered. There is nothing to be gained to-day from arraigning a defunct administration for failure long past. The situation was

unprecedented and one of extraordinary difficulty, and it is easy enough to be wise after the event. O'Connell, however, on this occasion, was wise before the event.

Quite early in the course of the Famine, O'Connell raised the question of relief at the Dublin Corporation. He stated that his plan would be to prohibit the export of corn to foreign countries while permitting it to be exported to England, to prohibit brewing and distilling, to throw open the ports and import large quantities of rice and Indian meal from the colonies, and to set up machinery in each county for administering relief. In order to provide money for this scheme he suggested that a large tax should be imposed on the rents of absentees and a smaller tax on the rents of resident proprietors, and that a loan should be raised. He urged that the railways and any other works of public utility that were in contemplation should be pushed forward as rapidly as possible so as to provide employment. These views were brought before the Government by an influential deputation which included O'Connell, the Duke of Leinster, and the Lord Mayor, but they received nothing more than a formal acknowledgment, and were apparently not seriously considered. In view of what happened afterwards in connection with the relief works, it is unquestionable that the peasantry would have been saved much suffering and the public much expense if O'Connell's proposals had been speedily and diligently adopted.

O'Connell died before the Famine had run its full course. It is perhaps as well that he did not live to see the aftermath of that terrible visitation. There is abundant evidence that the character of the Irish people underwent a fundamental change in those years. Much of the old spirit of optimism and cheerfulness that had been such a striking feature of the peasantry disappeared, and a spirit of heartlessness and hopelessness took its place. The old traditional witty and irresponsible Irishman seemed to die out. The Ireland of Lever and Lover was no more. Many of the strongest and best of the young people went abroad, leaving their homes the sad abodes of the older and weaker members of the family. The Famine set a

blight on Irish life which has not entirely disappeared at the present day.

In reviewing O'Connell's general attitude towards the pressing questions of his day one cannot help noticing an apparent indifference to or lack of interest in some of the economic and social problems calling for the most immediate solution. His speeches in the House of Commons dealt rather in generalities than in detailed criticism of current measures. On financial and economic questions he spoke with a certain degree of carelessness. O'Connell would probably have said himself that he was more concerned to give his country liberty than to give her bread. In fact, he seems to have despaired of any real progress being accomplished towards the amelioration of Ireland until the last remnants of Protestant ascendancy had been shattered. He was always of opinion that the most perfectly devised schemes would fail to produce good results if they were badly administered, and he apparently considered that bad administration was inevitable so long as the Government of the country continued in the power of the ascendancy class. This accounts for the fact that, while vital discussions were taking place, in and out of Parliament, on such matters as poor laws and railway construction, O'Connell devoted the major part of his time and influence to the reform of the municipal corporations and the advocacy of an extension of the franchise. He believed that it was no use discussing schemes of improvement until the Irish administration was in popular hands. This view may quite possibly have been right. The question has been debated in a new form in more recent times; and even in our own century many have argued that plans of economic and social amelioration were not worth discussing so long as political liberty remained to be achieved.

Moreover, it must be remembered that O'Connell was prevented from entering Parliament until his fifty-fourth year. Prior to that he had necessarily had to concentrate his attention on fighting the great popular battle for Emancipation in the country. When at last he did vindicate his right to be heard in the House of Commons,

he was becoming rather old to settle down to the hum-drum day-to-day study of concrete proposals and suggestions. He had been driven into agitation by force of circumstances, and an agitator he remained all his life. It is not clear from any of his recorded utterances that he had devoted very much thought to the policy he would have pursued if he had suddenly been entrusted with the premiership of a self-governing Ireland. Such matters he preferred to postpone for further consideration. The first thing to do was to enter the besieged town; once safely in, he would have plenty of time to discuss his future plans.

O'Connell was essentially a believer in democracy. He voted in favour of the Chartist petition because, as he declared, he was a convinced believer in universal suffrage. At the same time, he refused to be associated with the Chartists or to make use of their co-operation or assistance because of the revolutionary flavour of some of their principles. He had been brought up in the shadow of the French Revolution and had acquired a thorough dislike of anything that savoured of Jacobinism. His expressions of loyalty to Queen Victoria were warm to a degree that earned him a good deal of criticism from many of his own followers. In his belief that the soundest basis of English liberty rested on a strong monarchy together with a free people, he shared at least one opinion in common with his great enemy, Disraeli.

O'Connell was thus essentially a Liberal, but in no sense a revolutionary. He unequivocally condemned all appeals to physical force even for the attainment of objects most dear to him. His detestation of the ascendancy method of government in Ireland was probably due in a large degree to his fear that bad government, if persisted in sufficiently long and if pushed to a sufficient degree of irritation, would provoke the people into armed rebellion. It was his dislike of violent methods that led him to utter his famous denunciation of the Irish trade unions. This speech of his has made him most unpopular among the modern Irish Labour movement, and has caused his real fame as a democrat to be obscured in certain circles where it should be most appreciated. The philippic against the

trade unions was undoubtedly exaggerated. No account was taken of the numerous mitigating circumstances that explained, even if it did not justify, the violent methods of these bodies. The Irish trade unionists were fighting a desperate defensive action against falling wages and decreased employment; they were faced with the competition of hordes of labourers who flocked into the towns, having been evicted from their farms, and were confronted by masters whose conduct and methods of dealing with their men were certainly not above reproach. Moreover, violence was quite common at the time among trade unionists elsewhere as well as in Ireland. On this occasion O'Connell seems to have used exaggerated language. Those who continue to remember his attack on the Labour movement in Dublin should, in justice to O'Connell, not confine their study of his oratory to this single speech. If they would look through some of his speeches delivered against the Protestant ascendancy, they would realize that, for one occasion on which his great voice was directed against the Dublin workers, there were dozens when it was raised against their enemies and oppressors.

Indeed, it ill-becomes any modern Irishman to belittle O'Connell because he may have been guilty of occasional errors in judgement or in action. The greatness of the man outweighed all his defects. He was great not only by the measures which he achieved, but by the lesson which he taught. He taught the Irish people that they should respect themselves, that they should choose and obey their own leaders, and that by union and discipline they could overcome any resistance that they encountered. Previous to O'Connell's time all the popular movements originated among the Protestant minority; since his death they have been created and controlled by the Catholic majority. That change is directly due to O'Connell, who, by teaching the Irish people the power of constitutional agitation, gave them the key which opened the door to their further progress.

GEORGE O'BRIEN.

### ART. 3.—WHAT CATHOLIC EMANCIPATION MEANT

TO show the work accomplished by O'Connell, to which the title of Catholic Emancipation is given, the simplest method is to give a sketch of the code of legislation against Catholicity known as the Penal Laws.

This code falls chronologically into two parts, the dividing-line being the Revolution of 1688. Furthermore, in each epoch we must differentiate between legislation applicable to England or to Great Britain and that applicable to Ireland.

With regard to the pre-Revolutionary period it will be sufficient to say that the aim of the penal legislation was the complete suppression of Catholic worship, and the forcible stamping out of "Recusancy." In the later period the attempt to secure uniformity of worship and the acknowledgement of the Royal Supremacy in religious matters was given up. Dissenters from the State religion were no longer in danger as to their lives. But an ingenious series of laws, to which popular opinion has attached *par excellence* the name *The Penal Laws*, was devised to impoverish and weaken in every way those Dissenters in particular who acknowledged the authority of Rome.

Moreover, during the first epoch there is a very marked difference, too often lost sight of, between the penal legislation of Great Britain and of Ireland.

In the former island there is a long series of enactments from 1559 to 1610 directed against the Catholics, both priesthood and laity. It was made High Treason to bring in Papal Bulls, to convert or to be converted from the Established Church, to harbour or support or even to confess to priests ordained beyond the seas. All priests convicted of having been ordained overseas were liable to the penalty of High Treason; so were all persons who for the second time refused the Oath of Supremacy on its being tendered to them. Catholic worship was illegal; and the laity who refused to attend the services of the



Established Church were subjected to penalties ever growing in severity.

It has been calculated that 130 priests and 60 lay persons suffered death in the reign of Elizabeth under these various laws. Executions still took place under the first two Stuarts, mostly of priests. There are said to have been 34 executions between 1610 and 1646. Curiously enough, a change set in with the Puritan triumph, though a priest was executed in 1654, and a very severe Act against Popish Recusants was passed in 1657. According to Firth, this Act was not enforced. At the Restoration the Elizabethan and Stuart legislation appears to have lapsed, to be revived during the panic of the Popish Plot. A little before this, in 1673, the Test Act had shut Catholics and Dissenters out of all military and civil employment; now, in 1678, Catholic peers were excluded from Parliament; and, in 1679, eight priests were executed on conviction of having been ordained beyond the seas. These were the last executions in England under the Elizabethan penal laws.

Had the provisions of the Tudor and Stuart laws been strictly enforced against the laity, Catholicism would have been entirely rooted out from England. But there were intervals of toleration. Under the first two Stuarts many Catholics were in influential positions; prominent persons were open converts; the Queen of James was a secret Catholic; the Queen of Charles an open one. After the Restoration Catholic influence was still stronger in Court circles. This was only natural if it is true that, of the 500 English gentlemen who fell fighting for Charles I against the Parliament, 170 were "Popish Recusants."

During all this period the only Acts affecting Catholics in force in Ireland were the Acts of Supremacy and Uniformity, passed in 1560 by the Irish Parliament. By the first of these all persons refusing to take the Oath of Supremacy were shut out from ecclesiastical, civil, or military office; and anyone maintaining or defending foreign authority in any way was to be subject to the penalties for High Treason on the third conviction. All temporal persons suing livery or *ousterlesmains* were to take the Oath.



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By the second, Catholic worship was forbidden, and a fine of twelpence imposed for every absence from church on Sundays and holidays; ecclesiastical censures, involving imprisonment and fine, were also incurred by such absence.

These Acts were serious enough when enforced; and the constant progress of the English arms, culminating with the complete conquest of the island in 1603, made it possible to enforce them. Under the first two Stuarts Catholic worship was rigorously suppressed; the Oath of Supremacy was imposed on Mayors and Aldermen, who were heavily fined on their refusal to take it; cases of absence from church were enquired into. Two hundred of the townsmen of Clonmel were indicted for recusancy at one Assizes in 1606. The Court of Castle Chamber, between 1612 and 1617, imposed fines, in some cases amounting to £200, together with sentence of imprisonment, on many gentlemen of the Co. Tipperary, for having refused to present Popish Recusants in accordance with the Act of Uniformity. But under no existing legislation in Ireland was a priest liable to the death penalty merely for having been ordained beyond the seas, or for converting Protestants, or for the various other offences punishable with death under the English penal code. Nor could the Irish layman be executed for harbouring priests, or for being converted from Protestantism. He was not liable to a £20 fine for hearing Mass, nor to the sequestration of two-thirds of his rent roll on conviction as a Popish Recusant. He could, and did, sit in Parliament; he could move freely about the country; he could educate his children overseas. How then do we find examples, even under James I, of the execution of priests and laymen? The answer is, in some cases, convictions under martial law; in others the fury of the soldiers, especially directed against members of the religious orders. The pretext of intercourse with rebels or with foreign powers at war with England was freely used under Elizabeth, and even occasionally under James. In the case of Archbishop O'Hurley, it was admitted that he could not be convicted by the ordinary tribunals; and the execution under James of the Bishop of Down and other ecclesiastics was on the

pretext of treason. Where the law fell short the exercise of the Royal Prerogative was tried. In 1605 the King proclaimed that he would never tolerate the exercise of any religion other than that established by law; ordered all subjects to attend church, and all priests to leave the kingdom before the end of the year. A little later on mandates were issued under the Great Seal, ordering leading citizens of Dublin and other towns to attend the State Church. On their refusal they were heavily fined. But, on the protest of the nobility and gentry of the Pale that these mandates were illegal, they were withdrawn.

The proclamation of 1605, banishing priests, was repeated in 1611, 1624, and 1629. In 1614 recusant lawyers were forbidden to appear in the law courts, and two years later the prisons were filled to overflowing with civic magistrates who had refused the Oath of Supremacy, and with jurors who had refused to present Recusants. Catholic schools were suppressed; and the Court of Wards gave an opportunity of bringing up in the King's religion such landowners as were left minors at their father's death.

At the same time, both James and Charles showed favour to individual Catholics. Peerages, baronetcies, grants of land were conferred on many "Popish Recusants." In Parliament, too, up to 1641 Catholics were either in a majority or in a minority too strong to be overridden. A proposal in 1614 to introduce the English penal code into Ireland was dropped as impracticable.

The Cromwellian régime brought fierce persecution. In 1653 all priests were ordered to leave the country, under penalty of suffering the punishment for High Treason under the English Act 27th of Elizabeth, now made operative in Ireland. In 1657 an Oath denying the chief points of Catholic doctrine was ordered to be taken by all persons suspected of Popery who had attained the age of sixteen. The penalty for non-compliance was forfeiture of two-thirds of all the goods and chattels and property whatsoever of the person refusing.

The Cromwellian and Restoration redistributions of landed property brought about for the first time an Irish Parliament overwhelmingly Protestant. In 1663 the

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Commons proposed to bring the entire English penal code into force in Ireland; but the English Council rejected this.

The Treaty of Limerick provided that the Irish Catholics were to enjoy "such privileges in the exercise of their religion as are consistent with the laws of Ireland, or as they did enjoy in the reign of Charles II." Much ink has been spilled in discussing whether the subsequent penal code was or was not a violation of this badly worded article.

The open celebration of Catholic worship was certainly illegal under Charles II; and priests were arrested from time to time for saying Mass. Any of the Catholic clergy exercising ecclesiastical jurisdiction might be prosecuted under the Statutes of *Præmunire*. In 1673, 1674, and 1678 proclamations banished all persons exercising ecclesiastical jurisdiction and all regular clergy. In 1679 Catholic public services were forbidden in the cities and corporate towns. From 1679 to 1685 the public celebration of the Mass appears to have ceased in Dublin.

Did, however, this clause mean, leaving aside the question of worship, that Catholics were to be secured in the position they held under Charles II? In that reign they could freely buy, sell, and inherit land, vote for and sit in Parliament, practise all professions and trades, intermarry with Protestants, act as guardians. The Court of Wards had been abolished; the fine for non-attendance at church had lapsed, as had restrictions on education, at least within private houses. The English Test Act of 1673, which shut out Catholics and Dissenters from all employment under the Crown, did not apply to Ireland; the Oath of Supremacy was seldom or never administered.

To sum up, at the end of this first period the penal code in its more sanguinary provisions may be said to have lapsed in Great Britain, although many civil disabilities still pressed heavily on Catholics. In Ireland no such sanguinary code had existed; civil disabilities were few; but the public exercise of the Catholic religion, and the position of the Catholic clergy, were matters depending on the whim of the executive.

With the Revolution a new epoch begins. In Ireland the old idea of James I to make one nation out of English

and Irish by bringing in English laws, settlers, and religion, this last by force as much as by persuasion, was given up. The new régime, recognizing that the Irishman could not be turned into an Englishman, aimed at his impoverishment. Land, political power, riches were to be the monopoly of the Protestant. The Catholic might keep his religion; but, if he did, he was to be reduced to be a hewer of wood and a drawer of water.

There is still a difference between British and Irish legislation in this period. An English Act in 1700 imposed the penalty of imprisonment for life on any priest convicted of saying Mass and on any Papist keeping school. One of the arguments for this Act was that convictions could be obtained more easily with this new penalty than under the old bloody statutes, for "the tenderness of our juries" would no longer endure the infliction of a capital sentence. Such a conviction was obtained in England as late as 1767, but after four years' imprisonment the priest was released and banished.

The same Act forbade Papists to purchase or to inherit or take by descent, devise, or limitation in possession, reversion, or remainder any landed property. It is difficult to see how any English Catholics retained their landed property after the passing of this Act.

In Ireland, after the Treaty of Limerick, Catholic worship was no longer in itself illegal, but the ministers of that worship were legislated against, with a view to their ultimate extinction; and a code was drawn up to reduce the whole Catholic population to political and industrial servitude. We find a series of Acts aimed at the Catholic body as a whole, at the landowners, and at the clergy.

The new penal code begins with an Act of the English Parliament in 1691, providing that no person should sit in either House of the Irish Parliament until he had taken a Declaration denying the principal doctrines of the Catholic Church. Catholics had been excluded from the English Parliament in 1678 by imposing a similar Declaration. The main feature of O'Connell's "Catholic Emancipation" was the abolition, just a century ago, of this obnoxious test.

Then came Acts of the Irish Parliament. First foreign education was forbidden; and no Papist was to teach school publicly or in private houses, except to the children of the family. Subsequent Acts reaffirmed and strengthened this, widening its scope, and increasing the penalties on Popish schoolmasters.

Next, Papists were disarmed and forbidden to keep a horse above the value of five pounds. Persons within the Articles of Limerick and Galway were exempted from the provisions of this Act.

Then came *An Act to Prevent Protestants Intermarrying with Papists*, imposing severe penalties on any such Protestant and on the clergy celebrating such a marriage. In the same year, 1697, came an *Act to Prevent Papists being Solicitors*. This was amended and strengthened by subsequent Acts. Such is a summary of the penal legislation under William III.

The Act, 2nd of Anne, Chapter VI, the most far-reaching Act of the penal code, contained the following clauses of general import. Persons perverting Protestants and Protestants so perverted are to be held guilty of *præmunire*. No Papist is to act as a guardian; all office holders are to take the Declaration already referred to, and to receive the sacrament according to the rites of the Established Church. Parenthetically it may be remarked that this clause shut Protestant Dissenters out from office. No Papist is to vote for members of Parliament unless he takes the Oaths of Allegiance and of Abjuration of the Pretender.

The Act of 1709, explaining and amending the above Act, forbade any Papist in trade to have more than two apprentices, except in the hempen or flaxen manufacture. To pass over minor disabilities, it was found, as time went on, that Catholics who had accepted the House of Hanover no longer objected to the Abjuration Oath. So, in 1727, they were altogether excluded from voting for Parliament.

The most important clauses of the *Act to Prevent the Further Growth of Popery* passed in 1703 were those directed against Catholic landowners. After the Acts of Settlement and Explanation, Catholics held at the outside one-seventh of the twenty million English acres which

Ireland contains. The confiscation which followed on the Revolution reduced the area so held to about one million acres. The new code was intended to effect that this area should never be increased, and should be as much as possible diminished.

As these clauses have been often misrepresented I summarize them as accurately as possible.

If any child of a Popish parent becomes a Protestant, an order for its maintenance is to be made by the Court of Chancery.

If the eldest son conforms, the Popish parent becomes only tenant for life of all real estate held in fee-tail or fee-simple. This is often misquoted, as if any child conforming could reduce his father to this condition.

All Papists are disabled from purchasing land, or from acquiring it for a term of years, except for a term of thirty-one years, and then at a rent equal to two-thirds of the annual value.

No Papist is to take or have the profits by descent or by any devise or gift or by virtue of any remainder or by any trust of any lands, etc., whereof any Protestant is now seized in fee-simple absolute or fee-tail, etc. So, on the death of a Protestant landowner, his property would go to the nearest Protestant heir, to the exclusion of intervening Catholic heirs. It is to be noted that this clause applied only to land held by Protestants. Catholics could succeed to land held by Catholics, but only as prescribed by Clause X.

This laid down that all lands of which Papists are now or hereafter shall be seized in fee-simple or fee-tail are to be of the nature of gavelkind. The owner could not dispose of them by will or make any settlement of them. At his death they must be divided equally among all the sons, and, failing sons, among all the daughters. Much the same law is now in force in countries which have adopted the Code Napoléon, the object being to break up great estates. In the Irish Act it was provided that the eldest son of a Papist landowner, being a Protestant, or conforming within a year after his father's death, should inherit the whole property. The Act of 1709 contained



stringent provisions to prevent any evasions of the Act of 1703 by settlements, grants of annuities, etc. The provisions of the penal code dealing with landed property were those easiest to enforce, and of most effect. Thirty-six landowners conformed between 1703 and 1709; one hundred and fifty within the next ten years. According to Lecky 4,055 persons were registered as converts between 1702 and 1773, of whom 2,177 conformed after 1752.

Contrary to popular belief, Catholics were not debarred from holding real property. The Acts plainly contemplate the case of Catholics holding land in fee-simple or fee-tail. They were not to be deprived of what they held; but they could never increase it, unless as heirs to other Catholic landowners.

The difficulty arises, how did certain Catholic peers and others preserve their estates undivided? Here perhaps the kind-hearted "Protestant trustee" of popular belief may have come in. He certainly came in in many cases where Catholics desired to evade the laws forbidding them to purchase land, or lease it for more than thirty-one years, or to inherit from Protestants.

Though Catholic worship was no longer in itself illegal, the new code attempted to suppress it by the gradual extinction of the existing Catholic priesthood. So, in 1697, all Papists exercising any ecclesiastical jurisdiction and all regulars were banished. During the early months of 1698 over 460 of the clergy, mostly regulars, were shipped overseas under this Act. The idea was by the destruction of the hierarchy to prevent any more ordinations in Ireland.

But priests ordained abroad might come in. In 1703, therefore, an Act forbade any Popish priest to come into the kingdom, under penalty of being deemed a Popish regular, and so liable to imprisonment and transportation on the first conviction, and to death for High Treason on the second. In 1708 there were only two bishops left, one in prison, the other too old to perform any functions.

Then came two Acts for *Registering the Popish Clergy*. Priests so registered might officiate, but might not keep any curate, nor officiate outside the parish for which they



were registered. Breaches of these Acts led to the offender being adjudged to be a Popish regular. One thousand and eighty-nine secular priests registered themselves in accordance with the Act of 1703. But a further test was imposed in 1709. All registered priests were to take the Oath of Abjuration. This Oath, disclaiming any right to the Crown on the part of the Pretender, was obnoxious to many Protestants, who were not prepared to deny on oath the title of the Stuart line. Less than forty priests took the Oath. Hence, from 1709 on, the secular clergy of Ireland were outlaws, liable to the penalties laid down for Popish regulars by the Act of 1697—that is, to death on a second conviction.

The very severity of these laws appears to have hindered their working, in spite of the zeal of the House of Commons and of many magistrates. The savage proposals of the Irish Commons in 1719 and 1723 sufficiently show the spirit that animated them. Father Burke's *Irish Priests in the Penal Times* throws light on the actual working of the Acts. Catholic chapels were closed in 1715 and in 1744-45. But after that date the persecuting spirit relaxed. After 1745 no further hindrances appear to have been put on Catholic worship; and by 1764 "mass-houses" were being erected even in Ulster.

Intermarriage between Catholics and Protestants was frowned on by the law, and a series of Acts, each more drastic than its predecessor, dealt with priests who ventured to celebrate such marriages. In 1725 priests celebrating a marriage between two Protestants, or a Protestant and a Papist, were to be hanged as felons. The Rev. Timothy Ryan was hanged in 1726 under this Act. In 1745 all such marriages were made null and void; but the priest so celebrating was still to be hanged as a felon, as was explained by an Act passed in 1749. This was the last enactment of the penal code.

Twenty-two years later came the first slight relaxation. Then, in 1778, came Relief Acts, first in England, then in Ireland. The English Act allowed Catholics to purchase land, and freed them from the disabilities on inheriting or taking land imposed in 1700. Papists were allowed to

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keep school; and bishops, priests, and Jesuits were no longer liable to imprisonment for life. The Act did not apply to Scotland.

The Irish Act allowed Catholics to take leases for 999 years, or for five lives, at a *bona fide* rent; and they might dispose by will or otherwise of lands thus acquired, and of all lands in fee-simple or fee-tail actually in Catholic hands. The laws preventing Catholics from taking lands by descent, etc., from Protestants, and those relating to the conformity of the eldest son, or of the other children, were repealed. In 1782 Catholics were allowed to purchase freehold lands; and priests taking an Oath prescribed in 1774 were freed from nearly all the provisions of the various Acts of William and Anne.

An English Relief Act of 1791, the last before O'Connell's day, repealed the recusancy laws of Elizabeth and James, gave freedom of worship and education, and opened to British Catholics the profession of the law. But they were still excluded from the Parliamentary franchise and from commissions in the Army and Navy.

In 1792 the Irish Parliament readmitted Papists to the practice of the law; and repealed the Acts against foreign education, Papists keeping school, or having more than two apprentices, and those penalizing the intermarriage of Protestants and Catholics. But Catholic priests celebrating such marriages were still liable to the death penalty. Finally, in 1793, Irish Catholics were admitted to the Parliamentary franchise and to civil and military office under the Crown—in this latter case with a long list of exceptions. They were placed on the same footing as Protestants with regard to holding and acquiring land. Various other disabilities were removed, including the obligation, long since obsolete, to attend the parish church.

With the passing of this Act the era of the Penal Laws may be said to have come to an end in Ireland.

What then was left for O'Connell to accomplish? The admission to Parliament of a handful of wealthy Catholics, and to judicial and other offices of a few persons; the bestowal of the franchise and the right to military and naval commissions on British Catholics; the repeal of

various disabilities imposed or allowed to remain by the various Emancipation Acts, some of them long since obsolete.

And to obtain this O'Connell agreed to disfranchise the forty-shilling freeholders, the bulk of the Catholic voters of Ireland, to allow new restrictions on the religious orders, to re-enact the prohibition of Catholic religious services outside churches and private houses. Does this then deserve the name of Catholic Emancipation? Should not the centenary of Emancipation have been celebrated in Ireland in 1893 and not in 1929?

On a long view, no. Once Catholics became eligible for Parliament, the gradual widening of the basis of admission to that body automatically completed O'Connell's work. The restrictions proved impossible to enforce, and have gradually disappeared. Catholics have taken their full share in public life; a testimony to this being that at the present day no one political party can claim a monopoly of their allegiance. And so, as the final artificer of Emancipation, we acclaim O'Connell.

W. F. BUTLER, D.LITT.

#### ART. 4.—ILLEGAL EDUCATION: A STUDY IN IRISH HISTORY

1. *Irish State Papers.*
2. SIR JAMES WARE : *Works concerning Ireland* (1764).
3. O'FLAHERTY : *Description of West or H-lar Connaught* (1684).
4. *Archivium Hibernicum.*
5. MASON : *Parochial Survey of Ireland* (1819).
6. *Reports of the Commissioners of the Board of Education*, 1809, 1825.
7. CORCORAN : *State Policy in Irish Education* (1916).

**A**LIVING English statesman has declared that the story of Ireland's struggle for freedom is the greatest epic in the world's history. Turning off from the high-roads of what is known as Irish history, it is possible to trace a movement which contributed more to national integrity than resistance by physical force could ever accomplish to that end. In the first place, it was an educational movement that promised to knit a subject people more closely together. Successive English monarchs sensed in it a growing danger to their projects; they established schools in Ireland that were to have been strongholds of English education; they captured sons of Irish chieftains and educated them in England. Later it was a religious movement, when the object was to preserve the Catholic faith in Ireland. It was, therefore, still educational. Legislation was introduced, first against the practice of the Catholic religion and to compel attendance at Protestant services; and then against the education of Catholics.

The parish schools of Henry VIII and the diocesan schools of Elizabeth had proved ineffective in spreading a knowledge of the English tongue in Ireland. The grave disabilities under which Catholics had suffered in the seventeenth century had not broken their spirit. It was left for William III and succeeding rulers in the eighteenth century to make the supreme effort to strip the Irish Catholic of his property, his home, his religion, and of every means of education. Yet in 1733 Primate Boulter

complained that not only were Catholics increasing in numbers, but that also members of the Protestant communion were joining the Catholic Church; he conceived that it was essential to get hold of the Catholic children and bring them up as Protestants. This was attempted without success, for a period of nearly ninety years, in the Protestant Charter schools; an institution which a Protestant writer has contemptuously called a "Protestant manufactory."

Towards the end of the eighteenth century and at the beginning of the nineteenth century a crop of Protestant education societies, generally spoken of as the "Bible Societies," sprang up and sought to achieve in a more subtle way what their predecessors in the field had failed to do. They offered free education to an impoverished peasantry; but their real object, as one society's report put it, was the "reduction of popery." Their efforts were rendered abortive by the influence of the Catholic schoolmaster, by the opposition of the Catholic clergy, by the intense dislike of the people for charity schools, and to no small degree by the narrow and illiberal instruction they gave.

The movement, that in evil days had existence like a tiny rivulet stealing along the byways and hidden places, was now like a great stream, broad and deep, flowing serenely and displaying at its edges the flotsam and jetsam of the attempts made to stay its progress or to divert its course.

Lecky, the Protestant historian, wrote in reference to the futility of persecution that "the poorer classes in Ireland emerged from their long ordeal, penetrated with an attachment to their religion almost unparalleled in Europe." It might also be said with equal truth, they came forth characterized by a remarkable love of intellectual freedom. The numerous schools were their own; the teachers were of themselves; the content of their education was varied and extensive.

At no time did Catholic education wholly cease. History proves as much.

The dissolution of the monasteries in Ireland was begun

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in 1539, and was completed during the reign of Edward VI. The closing down of the monastic schools was a grievous educational loss, but very soon afterwards fresh schools were opened in the large towns by the disbanded clergy. In the comparative security enjoyed by Catholics when Mary was on the throne, these schools prospered; so that on Elizabeth's accession Catholic education was again taking definite shape. Peter White's school at Kilkenny was famous throughout Ireland in 1565. Stanihurst makes a notable reference to it in his work *A Treatise containing a Plaine and Perfect Description of Ireland*:

"In the west end of the churchyard (S. Kennies church) of late haue beene founded a grammar schoole by the right honorable Pierce or Peter Butler erle of Ormond and Ossorie, and by his wife the countesse of Ormond, the ladie Margaret fitz Girald, sister to Girald fitz Girald, the earle of Kildare that last was. Out of which schoole haue sprouted such proper impes, through the painefull diligence, and the laboursome industrie of a famous lettered man M. Peter White (sometime fellow of Oriall College in Oxford, and schoolemaister in Kilkennie) as generallie the whole weale publike of Ireland, and especiallie the southerne parts of that Iland are greatlie thereby furthered. This gentlemans method in training vp youth was rare and singular, framing the education according to the scholers veine. If he found him free, he would bridle him like a wise Isocrates from his booke; if he perceiued him to be dull, he would spur him forward; if he vnderstood that he were the woorse for beating, he would win him with rewards: finallie, by interlasing studie with recreation, sorrow with mirth, paine with pleasure, sownesse with sweetness, roughnesse with mildnesse, he had so good successe in schooling his pupils, as in good sooth I may boldlie bide by it, that in the realme of Ireland was no grammar schoole so good, in England I am well assured none better. And because it was my happie hap (God and my parents be thanked) to haue beene one of his crue, I take it to stand with my dutie, sith I may not stretch mine abilitie in requiting his good turnes, yet to manifest my good will in remembring his paines. And certes, I acknowledge my selfe so much bound and beholding to him and his, as for his sake, I reuerence the meanest stone cemented in the wals of that famous schoole."

These schools disappeared as Elizabeth's power was gradually extended in Ireland, only to be re-established according as circumstances permitted.

The monastic schools had not been the only centres of instruction in Ireland. The bardic schools might well claim to have been the University schools of Ireland. Unlike the European Universities, they were lay institutions where lawyers, historians, and poets were trained. It is interesting to notice what an English writer said with reference to them—four hundred years after the Anglo-Norman invasion. Father Edmund Campion, the English martyr, who was in Ireland for a time during the reign of Elizabeth, states in his *Historie of Ireland*:

“Without either precepts or observations of congruity, they speake Latine like a vulgar language, learned in their common Schooles of Leach-craft and Law, whereat they begin Children, and hold on sixteene or twentie yeares conning by roate the Aphorismes of Hypocrates, and the Civill Institutions, and a few other parings of those two faculties. I have seene them where they kept Schoole, ten in some one Chamber, groveling upon couches of straw, their Bookes at their noses, themselves lying flatte prostrate, and so to chaunte out their lessons by peecemeale, being the most part lustie fellowes of twenty five yeares and upwards.”

The poet Spenser, in his book on Ireland written for the Government, has a good deal to say of the bards. He points out that their influence was detrimental to a conquest of Ireland; that they kept alive national tradition in learning and national antipathy to English rule. Elizabeth sought to put an end to their power, but merely succeeded in scattering them. With the laws in force against Catholics, the work of the bardic schools was even extended: as well as historians and poets, they now sent forth teachers; so that the closing of the monastic schools was not attended with so much disaster to education as might be supposed.

In addition, there were in Ireland hereditary teachers, just as there were hereditary historians and hereditary bards. The activities of these teachers, whose work had been so remarkable in previous generations, were still maintained in a background that was entirely unknown to the English official in Ireland.

The increasing difficulty of securing higher education at home led to the establishment, towards the end of the



sixteenth century and at various times later, of Irish colleges on the Continent. This was not Ireland's first contact with European education : but it was of a different kind. Centuries before, Irish scholars had gone to spread the light of learning in Europe : now Irishmen went abroad to study for the priesthood and for the professions that were still open to them. The Rev. Dr. Milner maintained that "the Irish students in the foreign universities, down to the very period of the late revolution, carried off more than their due proportion of prizes and professorships by the sheer merit of superior talents and learning, and a much greater proportion than fell to the lot of all other foreigners in the countries in question put together."

Trinity College was founded in 1592, but its effect on Catholic education was not of importance, for the Irish University schools on the Continent continued to flourish and to increase in numbers. Less than thirty years later it had become a definitely Protestant institution.

Some idea of the state of education at this time in the towns of Ireland may be gathered from a reference in Robert Payne's little work, *A Brief Description of Ireland*, written in 1589 :

"I saw in a Grammer schoole in Limbrick one hundred & threscore schollers, most of them speaking good and perfit English, for that they haue vsed to conster the Latin into English."

In 1615 a Commission was appointed by James I to suppress Catholic education in Ireland. A visit was paid to the school of Alexander Lynch at Galway. The report reads as follows :

"Wee found in Galway a publique schoolesmaster named Lynch, placed there by the Cittizens, who had great number of schollers, not only out of that Province but also out of the Pale, and other partes, resorting to him. Wee had daily prooffe, during our continuance in that citty, how well his schollers profited under him, by versions and orations which they presented us. Wee sent for that schoolemaster before us, and seriously advised him to conform to the Religion established ; and not prevailling with our advices, we enjoyned him to forbear teaching ; and I the Chancellour did take a recognizance of him and some others of his kinsmen in that citty, in the some of 400 li. sterl., to his

Matie. use, that from thenceforth he should forbear to teach any more, without the special license of the Lo. Deputy. And in regard, Galway is a farr more publique and convenient place for the keeping of a schoole then Tuam is, Wee have ordered that Mr. Lally shall, at Michaelmas next, begin to teach publicly there."

This rigorous execution of the royal command did not put an end to Catholic education in Galway. Some years later a school was taught there by Alexander Lynch's son, the famous author of *Cambrensis Eversus*.

In the hundred years following the foundation in 1582 of the Irish College at Salamanca, nearly twenty colleges had been established on the Continent. Their records show that education was widespread in Ireland. For instance, in the University of Salamanca alone—the Irish College had been incorporated with the University in 1608—there were, in the year 1620, students from no less than seven dioceses, all of whom had received their early education in Ireland. Their teachers were sometimes laymen, sometimes priests. There were Jesuit schools at Dublin, New Ross, Cashel, and other towns; the Franciscans had a large school at Quin Abbey, where, in the year 1644, the number of pupils amounted to eight hundred.

The policy of suppression did not cease in the reign of Charles I. The text of the Remonstrance addressed to the King in 1641, bears witness to this: "The youth of this kingdom, especially of us Catholicks, is debarred from education and learning, in that no schoolmaster of our own religion is admitted to teach, nor any admitted to be bred beyond the seas; and the one only University of Ireland doth exclude all Catholicks, thereby to make us utterly ignorant of literature and civil breeding, which always followeth learning and arts, insomuch that we may boldly affirm that we are the most miserable and most unhappy nation in the world."

This is not to be taken as evidence of an entire lack of education; it is to be interpreted as a national desire for liberty to educate. Even under the Commonwealth, when illegalities were punished with banishment, transportation,

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or death, the work of education still went on. In the Commonwealth Records there is this statement :

"Severall Popish schoolemasters doe reside in severall parts of the counties of Meath and Lowth, and teach the Irish youth, trayning them up in Supersticion, Idolatry and the evill Customs of the Nacion."

The Restoration brought the promise of a new era in Catholic education. But Ireland was still left to hope for relief from the descendants of the Catholic Stuarts. Yet there was more freedom, religious and educational, under Charles II than hitherto. In the reign of James II the number of schools increased; and, for the first time in history, a Catholic Provost was appointed to Trinity College.

The severest laws against Catholics came in the series of enactments passed in the reign of William III. These laws were so elaborated and perfected in the reign of Anne, and so extended under George I and George II, as eventually to deprive Catholics of every civil and religious right.

Priests and schoolmasters were declared outlaws; parents were denied the guardianship of their own children; education could not be given at home, nor could children be sent abroad to school. The most dreadful penalties were imposed on those who contravened the law. The full significance of the laws affecting education is clear from Edmund Burke's indictment of the Penal Code :

"While this restraint upon foreign and domestic education was part of a horrible and impious system of servitude, the members were well fitted to the body. To render men patient under a deprivation of all the rights of human nature, everything which could give them a knowledge or feeling of those rights was rationally forbidden. To render humanity fit to be insulted, it was fit that it should be degraded."

Someone has said that the eighteenth century was the century in which Ireland had no history. The tyrannical laws in force would seem to indicate as much. Yet the eighteenth century marked a movement that culminated in religious and educational freedom for Ireland in the

early nineteenth century. The forces that contributed to the success of the movement are focussed in the history of Catholic education.

By the eighteenth century the connection with Europe was on a wider basis. Young Irishmen now went to the Continent to join the armies of France, Spain, Austria. This had begun after the flight of the Earls in 1607; there had been a great exodus after Cromwell's campaign in Ireland, and again after the capture of Limerick. An Irish Brigade was formed in Spain; another in France. Irishmen rose to the highest ranks in civil and military life in nearly every country in Europe except their own.

It may be contended that this, and the fact that a great number of ecclesiastical students went each year to the Continent, were the reasons why Catholic education survived this most terrible period of Ireland's history. But it must be borne in mind that foreign service and education abroad were confined to a comparatively small section of the population. There is abundant evidence to show that education was eagerly sought by those whom circumstances compelled to remain at home; and, moreover, the standard of instruction, given, as it had to be, surreptitiously, compared favourably with standards attained in countries where education was encouraged rather than forbidden. Dr. Smith, writing about the middle of the eighteenth century, states that many of "the common people" in Ireland spoke Latin fluently, and that in Kerry he "met with some good latin scholars, who did not understand the english tongue." In this connection, a more competent authority may be cited: the Rector of the Irish College at Salamanca states, in the private report for the year 1789, that, in nearly all cases, the students "had learned Humanities very well at home" or "had learned sufficient Humanities at home to enter this College."

The conditions under which "Latin, Greek, French, and other branches of Humanities" were studied must be considered briefly. Education was forbidden by law; Catholic schools could not, therefore, be set up; the parent was not allowed to teach his own children; the householder dare not shelter the schoolmaster or permit a class to be

taught under his roof without running the risk of incurring the penalties of the law. To relieve the parent and householder of anxiety, school was held in the open air, on the sheltered side of a hedge at a safe distance from the public road. While instruction was being given, a look-out was set to give warning of the first approach of danger, and if law-officers or strangers were sighted, the class was immediately broken up. The "hedge school," as this kind of school was called, was but a temporary expedient; later, when the laws affecting education were not put so rigorously into force, it was usual for the teacher to conduct his school in a barn or in an old disused building lent to him for the purpose, or in a mud cabin built for him by the parents of the children whom he taught. The term "hedge school," however, was retained, and came to denote the illegal country school, and, in some instances, town schools. Carleton and at least one other writer mention the existence of hedge schools in towns; the former stated that half the schools in Dublin, about 1830, were hedge schools.

The Rev. Robert Walsh, one of the compilers of Warburton's *History of Dublin*, published in 1818, points out, while giving a picture of a hedge school, the high academic attainments of the hedge schoolmaster: "In an excursion we made last summer to Glendalough, we found the inscription on O'Toole's monument, and heard on inquiry that the schoolmaster could read it. We found him in a wretched hovel, with several scholars too tall to stand upright in his schoolroom. He freely deciphered the obsolete inscription, transcribed it into modern Irish with great clearness, and added a translation in classical Latin. His scholars were sitting on stones round the walls of the hovel, and none of them had shoes or stockings."

The charge of ignorance that has been levelled against the schoolmaster of this period is often entirely without foundation. Love of learning brought many a scholar to the trade. "Private schools," wrote a Protestant clergyman in the early nineteenth century, ". . . are kept in general by the native Irish, who having pursued their taste for literature, . . . can afterwards find no other

employment for their talents or acquirements." The remuneration was poor; the fees paid by pupils varied from about 2s. to 5s. a quarter; sometimes the fees were more, sometimes even less. There was a keen desire on the part of the people for education, and only lack of schools or lack of money prevented them from having their children educated; "scarcely a peasant," stated Rawson in his *Survey of Kildare*, "who can muster a crown after the tithe and priest's dues, but is anxious to expend it on his little boy's education."

The laws against Catholic education were relaxed in 1782, but more in the letter than in the spirit, for the conditions under which Catholics were allowed to teach could rarely be fulfilled. They had to obtain a licence to teach from the Protestant Bishop of the diocese or his representative, and to satisfy him as to their fitness to conduct a school. In other words, freedom to teach Catholic children depended on the whim of men who were alien in religion, in education, and even sometimes in nationality. It is known that licences were granted; but it is also known that a licence was refused to the Rev. Father Kenny, and that Dr. Plunket's application for a licence was treated with scant courtesy. Matters remained much the same as before; and illegal education continued right down to the time of Catholic emancipation.

The schools were unendowed; they owed nothing to patronage or favour; the entire credit for their existence must be given to the people themselves, who made every sacrifice to procure instruction for their children. Even among the poorest, the main business of the children, as one writer observed, was their education. The schoolmaster was one of the people, and usually a product of the type of school he himself taught: full of understanding and of sympathy, he was the friend and adviser of his little circle. Some schoolmasters had been educated on the Continent, but these were the exceptions; most of them had never been out of Ireland, and very many of these gained great reputations for their wit and learning. Scholars came from the North of Ireland to study in the schools of Munster; they came from Connaught to schools



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in Kilkenny. Schoolmasters were sometimes distinguished Irish poets as well : Brian Merriman, Owen Roe O'Sullivan, Donnchadh Ruadh MacNamara—to mention but three of the Munster poets—were all schoolmasters; “every Irish scholar for the past eighty years,” wrote Dr. Standish O'Grady in 1853, “claims to have been taught by Donnchadh or one of his pupils.” The subjects taught in these schools present a great variety : Reading, Writing, Arithmetic; Geography and Book-keeping; Classics; Mathematics and Science; not to mention Irish, English, and French. Many teachers professed to know little more than a few subjects, while others were extraordinarily versatile in their knowledge; one schoolmaster wrote grammars of the Irish, English, Latin and Greek languages, a history of Ireland, a Life of St. Patrick, a textbook of Astronomy, and other works the importance of which can be judged by the list of distinguished subscribers. Knowledge was not acquired without labour and without sacrifice; instruction had to be paid for; books were expensive; good schools, no matter how distant, had to be attended. The young aspirant for the teaching profession was sometimes forced, by circumstances of poverty, to become a “poor scholar,” wandering from school to school in the pursuit of his studies, living on the hospitality of the people, and daily adding to his store of knowledge. These were the schoolmasters whom Sir John Carr, writing in 1805, describes as “wretched uncharactered itinerants,” “nearly as ignorant” as their own scholars.

Many writers contemporary with Sir John Carr have asserted that the state of education in Ireland at this time was at its lowest ebb. In reality, it was at a high point in the flood. Misled by external appearances and relying on prejudiced sources for their information, they failed to realize the value of the education which the schools were capable of giving. Such a reliable authority as Sir Thomas Wyse has affirmed that the lower classes in Ireland were better educated than the middle and upper classes, while it was quite the contrary in other countries in Europe. Furthermore, the education given in the Catholic schools was not prescribed within any narrow limits; as a whole,



it was of a distinctly liberal nature; it had soul as well as body; there was spiritual growth keeping pace with progress in learning. The forces with which the law had oppressed it, the efforts of Protestant education societies and of Protestant wealth to supplant it, the cumulative effect upon it of material poverty, open hostility and scorn, did not impair its vigour or obstruct its advance.

In the beginning of the nineteenth century there was scarcely a parish in the whole country without one or two schools; in thinly populated areas there were schools to which the children came from distances of three and four miles each day; night school was held for those engaged in manual labour during the day. The Report of 1809 paid a remarkable tribute to this achievement when it issued a warning to the Government that the Catholic people of Ireland had taken education into their own hands. The number of Catholic schools in 1825, according to the official Report, amounted to 8,000 approximately; of these, 422 schools only were under the direct management of the Catholic clergy or supported out of funds organized by them. The attendance at school, as many authorities have proved, was higher than in most other countries. The ground was prepared for O'Connell's great triumph; a national system of education was almost in sight. The one marked the "greatest constitutional movement in history"; the other brought about the decrease and eventually the disappearance of the old Catholic independent schools.

P. J. DOWLING.

#### ART. 5.—O'CONNELL AND REPEAL

O'CONNELL, who bestrode the Ireland of his day like a Colossus, and was described by Balzac, a man not given to using words idly, as "the incarnation of a people," suffered after death a harder fate than any Nationalist leader of the last century in that his countrymen have seen him for the most part through the eyes of writers who were his bitter opponents during the last and least fortunate phases of his career. A personal study of John Redmond by Arthur Griffith or a survey of the making of the Free State by Mr. de Valera might be excellent reading; but who would expect to find them models of critical detachment and the impartial handling of controversial issues!

To suggest that the Young Irelanders saw things askew or loaded the dice against O'Connell is still regarded, I know, in many quarters as the worst kind of blasphemy. Personally, I have long been convinced that nothing is more urgently needed than a complete overhaul by competent and unbiassed historians of the events of the period that followed the founding of the *Nation*. John Mitchel was a great artist in prose who expressed more finely than anyone the passionate side of Irish nationality, but few men were less qualified to judge an actual political situation. He was unable to think in terms of ordinary minds and reasoned as if Ireland was composed entirely of John Mitchels. His inability to compromise, or even to see that it was possible for others honestly to hold a view that differed from his, was shown in the quarrels that rent the Young Ireland party after the breach with O'Connell. Mitchel was perhaps a shade more contemptuous about his former colleagues than about Conciliation Hall, and the curious thing is that while even his disciples admit he went wrong about the Confederates, they persist in regarding every word he spoke against O'Connell as inspired. Gavan Duffy's methods were more subtle. Infinitely superior to Mitchel in the art of building up a case, he knew the value of an appearance of impartiality; but a close study of *Young Ireland* and *Four Years of Irish History*

leaves no doubt that almost every line he wrote about O'Connell was shaped with the object of putting in the best possible light the action of himself and his colleagues after the split.

In a clash such as that which arose between O'Connell and the Young Irelanders, it is impossible to expect detachment. My complaint is less against Mitchel and Duffy, who on the merits could put forward a strong case for themselves, than against the readers of a new age, who wilfully shut their eyes to the fact that a heavy deduction must be made for the personal equation in all estimates of O'Connell by the *Nation* school. So far from doing this, later writers in the same tradition persist in going still further. Arthur Griffith, whose word carries as much weight as that of Mitchel with the present generation, would scarcely allow that O'Connell ever conceived a statesman-like idea, and the small fry of Sinn Féin, in an endeavour to magnify their own importance, thundered at him as a "baleful influence" and "the sworn foe of democracy and Gaelicism." Some of these people would almost seem to have persuaded themselves that it was O'Connell and not Peel who drafted the proclamation suppressing the Clontarf meeting.

The lack of historical perspective in Irish politics has contributed not a little to popularize an entirely false estimate of O'Connell. In campaigning for the repeal of the Union, he adopted methods which did not commend themselves to his successors, and he used arguments difficult to reconcile with the principles of the Home Rule, Dominion or Republican schools; therefore—so the argument runs—he was not in the real sense a Nationalist at all. Nor is it easy, I admit, to say what system O'Connell would have preferred had he been given his choice. His work, as he saw it, was, in Grattan's phrase, "to keep on knocking at the Union," and the process was never carried far enough to make it urgent for him to work out a constructive alternative. Inevitably this attitude made trouble with the doctrinaires who, if not a very large element in the Irish population, were then, as now, capable of creating a din altogether out of proportion to their numerical strength.

In his lifetime criticisms of this kind did not trouble O'Connell greatly, for he knew he had merely to crook his finger and his countrymen would follow his lead. But it might have occurred to later commentators that O'Connell was well aware that to burden himself with an elaborate scheme of self-government, complete in every detail, would enable his opponents by concentrating their attack on its provisions to divert attention from the anomalies and injustices of the Union system which he had set himself to destroy. It was largely his success in demolishing every argument upon which its supporters relied for the maintenance of Pitt's legislative machine that enabled succeeding generations to devote their attention to schemes by which it might be replaced.

Modern critics have been very severe about O'Connell's relation with the Melbourne Cabinet and his willingness to give the Union a chance. Surely it was obvious that having established the principle of Catholic representation in Parliament he could not avoid giving it a trial, more especially as there was no vehement popular demand at that time for Repeal. Undoubtedly, the majority of Irishmen were opposed to English rule, and disliked it all the more because it was imposed by an Irish ascendancy in its own interests. At the same time, the intense national self-consciousness which was the dominant note of Irish history in the nineteenth century had not yet found expression. And, I may add, that it was the labours of O'Connell that broke the ground in which the seed of the *Nation* poets was to strike root. As he said finely of himself: "Grattan sat by the cradle of his country and followed her hearse; it was left for me to sound the resurrection trumpet, and show she is not dead but sleeping."

The latter-day legend of a passionate people, aflame with the spirit of nationality, straining at the leash with which a faint-hearted leader sought to hold them in check, is ludicrously at variance with the facts. O'Connell's problem was less to restrain than to spur forward, and every step in advance was due to his initiative. His decision to test the pledges of the reformed Parliament as to its readiness to implement the Union, so far from being

a dark and secret conspiracy, was openly announced and precisely explained to the Irish people without creating even the faintest ripple of protest. O'Connell, I am convinced, was never in as great a hurry as some of his followers, and though it was his bad habit to cheer his legions with rhetorical bombast about immediate victory, I doubt if he was deceived by his own prophecies. At any rate, little of real value was lost by the experiment, and O'Connell, though willing to make sacrifices for its success, never disguised his view that the British Cabinet would fail to rise to the height of a great opportunity.

In his earlier encounter with English Ministers, O'Connell said: "I took up Repeal and, like the Flappers we read of in *Gulliver's Travels*, I rattled it about their ears." When the movement took shape in earnest after the return of the Tories to power in 1841, Peel and Wellington, who had flattered themselves that O'Connell was a spent force, were confronted by a national upheaval which had no parallel in their experience. More than enough has been written about the monster meetings. Amazing as they were, they were less important than the organization that made them possible. It is always easy in Ireland to induce multitudes to flock to a popular demonstration, especially if the oratory is of O'Connell's quality. He differed from the majority of men who possessed the gift of swaying masses by an emotional appeal in that while he used this power to the uttermost, it was always with him subordinated to the hard and grinding labour that ensures the wheels of a political machine shall run without friction.

O'Connell was not only commander-in-chief, he was drill instructor and recruiting sergeant as well, and no detail was too petty for his attention. Yet, as friends and foes admitted, his preoccupation with the trees did not, as with smaller men, obscure his view of the wood. He possessed the Napoleonic power of concentrating with equal readiness on major questions of strategy and on minute points of administrative detail. It is typical of the man that when he put forward his plan of parish committees, with members paying rent of one penny per week, by which Irish democracy was rallied behind the Catholic

Association—the decisive stroke that won the campaign and established the precedent upon which the Repeal movement was based—he had to dash from the committee room, and half by persuasion, half by force secure a couple of priests to enable him to form a quorum. Not only did he volunteer to collect subscriptions personally in his own parish, but he offered to undertake the whole secretarial work of the movement. Unlike many of his predecessors and not a few of his successors, O'Connell's first care was to ensure that his movement rested on solid foundations, and it was this knowledge that enabled him to take liberties that would have wrecked the majority of popular leaders.

It is important to remember that as an organizer O'Connell not merely did things better than anyone else; he did things that nobody before him had attempted. As Burke effected a revolution in political thought, so, I hold, O'Connell was responsible for a revolution no less momentous in political action, and his achievement is the more memorable in that he was compelled to work in the early stages with the rawest kind of material. He said towards the end of his career: "Nobody will do me justice after my death, because they will not know the race of slaves I turned into men." At a time when a Catholic Archbishop is found writing to the Duke of Wellington, "Your Grace will, I hope, not deem me accountable for the foolishness of those who address me as 'My Lord,'" it was clear some very strong stiffening was needed; and people who denounced O'Connell's violence and vulgarity conveniently forget that he was matching himself against forces that scared many men who did not regard themselves as cowards.

Popular movements up till then had been spasmodic, and those against whom they were directed if not overwhelmed by the first gust of passion could rely on the storm blowing itself out in a short time. O'Connell, though an autocrat, was the first leader to realize the possibilities of democracy as a means of giving cohesion and solidarity to an amorphous mass. His elaborate network of parish committees, his simple yet effective machinery for collecting Repeal rent, his reading rooms, his Repeal wardens and



police, his arbitration courts were innovations for which no precedent existed, and have served as a model for all agitators who since his day have set themselves to mobilize popular opinion.

O'Connell's task was made easier by the temperance crusade of Father Mathew and the activities of the *Nation* group, which, in addition to enlisting the best of the intellectuals, propagated the gospel of nationalism in a form that powerfully influenced the country as a whole. But even if these had not emerged the Repeal movement would have developed pretty much as it did, whereas without O'Connell's pioneering work Davis and his colleagues would have found it a much harder business to gain a hearing.

The tragedy of O'Connell, as I see it, was not, as is commonly assumed, that he declined to fight at Clontarf, but that he failed to impress on his countrymen that, whether they aimed at securing their ends by peaceful pressure or by physical force, their chances of success depended on their ability to mobilize their forces as strongly as he did and weld them into the same solidarity. Not until the days of the Land League was this lesson taken to heart, and that it should have been ignored was due in no small part to O'Connell himself. With the object of bluffing English Ministers, and of working on the feelings of his admirers, he assumed the airs of a miracle worker, instead of making it clear to his countrymen that in setting their hand to the plough they must be prepared to drive a long furrow in particularly intractable soil. As Gavan Duffy truly says, the boast that 1843 would be Repeal Year played directly into the hands of the Government, which had only to stave off the attack to take most of the spring out of the movement. O'Connell knew well that he had not the cards in his hand he held in 1829, and he was too shrewd a judge of men not to be aware that this was also known to Downing Street.

The central principle of his political creed was summed up in his remark, "The Protestant cannot liberate his country; the Roman Catholic cannot do it; neither can the Presbyterian. But amalgamate the three in the Irishman



and the Union is repealed." His concentration on Catholic Emancipation as the first step was based on the belief that equality was a necessary preliminary to amalgamation, and, secondly, on the knowledge that the Northern Presbyterians supported Emancipation, while outside the Orange ranks a strong section of Established Church recognized that the denial of parliamentary representation could not be defended. There was, however, no such agreement in regard to Repeal, and to intensify its difficulties Dr. Henry Cooke, a Presbyterian divine who exercised a spell not unlike that of O'Connell, had succeeded in sweeping the great mass of his co-religionists into the Tory camp.

In these circumstances it was imperative to hasten slowly. Unfortunately O'Connell, who had marched so cautiously in the Emancipation crusade, acted as if Repeal could be won by a series of hussar strokes. No doubt he had persuaded himself these tactics would work, but by a failure in judgment, amazing in a man so fertile in other days in devising alternative plans, and so cautious about keeping second and third strings to his bow, he had made no considered attempt to devise a course of action in case his strategical schemes went awry.

Had he been twenty years younger, I have little doubt he would have recovered all that had been lost in a very short time, and as it was he never lost his hold on his countrymen. The breach with the *Nation* group, which seems to us so momentous an event, mattered very little politically at the time, and its significance was narrowed by the internal dissensions amongst the Confederates, who were soon as badly at loggerheads with one another as with O'Connell. But the collapse that followed Clontarf did create a reaction against the plan of organized agitation for the redress of grievances, and turned the scale definitely in favour of the school which desired to substitute for a slow and steady advance forlorn hopes by handfuls of enthusiasts, in the expectation that if a momentary success was gained the weight of the nation would be swung automatically into the fighting-line. Between Repeal and the Land League, though many men gave their lives for Ireland, the Irish people were not disciplined into recog-

dition of the truth that political salvation depended upon their ability to help themselves, and Parnell and his colleagues, instead of beginning where O'Connell left off, were compelled to build again from the foundations.

Interminable arguments and inexhaustible eloquence have been devoted to the question of whether the Clontarf proclamation should have been defied. If we are to accept the view of Gavan Duffy, O'Connell was guilty of a double blunder in that his rhetoric about resistance, while failing to impress English Ministers, was accepted by every Repealer at its face value. O'Connell for a pacifist had a strange weakness for banging the war drum on platforms, but nobody who studies his speeches can seriously doubt, I think, that to him the supreme virtue of the movement he had created was that it constituted an assertion of moral as against physical force. Dublin Castle knew exactly what tactics to use against a campaign that implied an ultimate resort to armed force. O'Connell's methods, simply because they were unprecedented, baffled it badly, and had he refrained from what Parnell called "the rubbish of the Mallow defiance," Peel and Wellington would have found it more difficult than they did to obtain an excuse for straining the law to suppress the movement.

Parnell, it is worth noting, was one of the few Irish leaders who held with O'Connell against the "young men." William O'Brien records in his *Recollections* a conversation at the time when the "No Rent" enthusiasts were trying to force Parnell's hand. To an extremist who had expressed his contempt for coercion, Parnell replied :

"I daresay you were born to be crucified, I was not. I am for winning something for the country all the time. It is the best way of winning more. It is always the way in Ireland. . . . See how they pushed O'Connell to talk such rubbish in his Mallow defiance. It was sillier than anything of our own. . . . It was the end of him. And how quietly those young warrior gentlemen took it for five years while the poor old man was dying off. I daresay O'Connell was a bit off his head when he made his Mallow defiance."

Parnell was wrong, I think, in assuming that O'Connell was "pushed"; his preference for the sort of appeal that

captured a popular audience led him to say things that he knew in his heart should not be taken seriously. This was a dangerous weakness, but I question if Repealers in the mass believed their leader was waiting for the opportunity to summon them to face big guns and bayonets with paving-stones and blackthorns. Certainly no one who counted in the movement did, and Young Irelanders least of all. They were sceptical, I admit, as to whether the bluff would succeed, but they backed it with all their force, and so far cannot be acquitted of responsibility. They uttered no protest inside Conciliation Hall against the decision to comply with the terms of the proclamation, and certainly no attempt was made by them to give a lead to the tens of thousands of Repealers who, it is implied, were awaiting the signal to fling themselves into the fray. If, as their spokesmen have contended, they were justified in holding back because resistance without O'Connell meant ignominious failure, he on his part was equally justified in bowing to the threat of force when he was convinced that any other course must mean a useless holocaust of innocent lives. It may be that he set his people too hard a task, and made demands upon them that in this phase of national history were bound to defeat his main object. Nor can it be disputed, I think, that he failed himself to keep on the plane to which he expected his followers to rise. There is force in Gavan Duffy's argument that by using language which suggested resistance while professing pacifism, he sought to combine two contradictory policies, and by adopting them alternately forfeited the advantages of both.

If Clontarf was a bad setback, repulses and defeats were no new experience to O'Connell, whose greatness had never been more convincingly shown than in the skill with which he extricated himself from apparently hopeless situations, never failing in retreat to march with a sting in his tail. Unfortunately, he was no longer either physically or mentally the man who had carried Catholic Emancipation, and while he still held the great masses of his countrymen in the hollow of his hand, he failed to manipulate them with the old confidence and certainty. It is true he maintained a bold front to the British Government; and the reversion

by the House of Lords of the scandalous verdict against O'Connell and his fellow-traversers, with the stinging comment that trial by jury as organized by Dublin Castle was "a mockery, a delusion and a snare," was so staggering a blow to Ministerial prestige that Disraeli maintained that Peel never recovered from it. But while O'Connell was marking time in a state of unwonted indecision that led him to flirt with such expedients as Federation, the shadow of the Famine fell upon the land.

It is not the least tragical consequence of the catastrophe that a crisis in which the first instinct of Irishmen should have been to pull together served as a wedge to drive them wider apart. Neither Old nor Young Ireland can be acquitted of blame for the miserable political collapse. O'Connell pushed to fantastic lengths his moral force dogmas; and his insistence that all Repealers should accept his dictum that "the greatest political advantages are not worth a drop of human blood" not only drove many moderates out of the movement, but quite naturally provoked enthusiasts on the opposite side to insist that the only hope of salvation lay in the sword.

Not all the Young Irelanders were, as the O'Connellites maintained, worshippers of war and bloodshed. If they turned more and more towards a military solution it was because they saw no other way out of the tangle. Their mistake was not that they decided to fight, but that they acted as if a decision to fight was in itself a guarantee of victory, and, above all, they were unable to give a lead that the majority of their countrymen would follow. As one of Smith O'Brien's comrades put it after the Ballingarry fiasco: "The towns bade us try the rural districts; in the rural districts the farmers would not give up their arms and the labourers had none; the priests opposed us, and the Clubs sent about one per cent. of their members to our aid."

In the agony of the Famine years, a country in which life had become "a scramble for the potato," if it declined to be impressed with the idea of moral force, was in no mood to be stirred by romantic sword speeches. Starving men lacked the heart "to buckle a belt to fight for Repeal," whether Repeal took the form approved of by Conciliation

Hall or the more drastic upheaval favoured by the Confederates.

I am not in agreement with the modern school which holds that everything would have gone right had Old and Young Irelanders dropped their squabbles about abstractions to give practical effect to the gospel of Fintan Lalor. Undoubtedly Lalor was right in his view that both O'Connell and his critics were beating the air so long as they refused to use the driving force of agrarianism to give impetus to the political movement. Had he possessed O'Connell's genius for organization, Lalor with years of preparation might conceivably have pulled off a revolution on the basis of a strike against rent without submerging the country in hopeless anarchy. As it was, he lacked the power, not merely of firing popular enthusiasm, but of presenting his views in a form that would commend them to politicians with a different outlook, with the result that for a generation he remained no more than a voice crying in the wilderness.

Thus, the first great campaign against the Union ended in the complete breakdown of the policies advocated by all groups of Repealers. History has not only condoned the failure of the Young Irelanders and Lalor, it has crowned them with laurels. O'Connell alone has been saddled with the responsibility for the wreck of his movement, and in addition the worst blunders of his rivals are held to be directly due to his shortcomings. In a sense, this is an inverted tribute to the greatness of the man. He is the only champion of the Irish people in whom failure to carry the national cause to victory has been held to be inexcusable, because he convinced foes and friends alike that he was big enough to succeed where all others before his time had gone down in defeat.

J. W. GOOD.

## ART. 6.—EUROPE IN 1829: A SHORT SURVEY

THE year of Catholic Emancipation at home is on the Continent a year of expectancy, of anxious hope. Changes are anticipated in many lands; political restlessness is apparent, the spirit of nationality is renewed in Europe. Metternich, all-powerful at Vienna, in that year 1829, could no longer count the tsar of Russia an ally. The days of the Holy Alliance had passed. Tsar Nicholas had succeeded Alexander. Canning might be dead, but the foreign policy of England was still in the main the policy of Canning.

"Nothing universal can be rationally affirmed on any political subject," Burke has written. It is certain that the events of 1829 cannot be covered by any single formula. To label them generally political is to ignore the religious and economic element. To find a common likeness in the nationalist movements in Greece, Poland and Belgium is impossible, so vastly different are the characters and motives of the leaders of revolt in their respective lands. Similarly in France, Spain and Portugal, no simple definition can account for the crisis, no easy suggestion of a conflict of liberalism and clericalism can explain adequately the turbulent excitement, or allow it to thus be disposed of so readily.

The independence of Greece is the accomplished fact A.D. 1829—that year of anticipations.

For eight years the Greeks of the Morea had been in open conflict with their Turkish rulers. To Metternich the struggle for national independence was no more than rebellion against legitimate authority, a revolutionary revolt against the lawful sovereign. To tsar Nicholas, to the British government, and to the king of France it became a case for forcible intervention. The king of Prussia had no interests in the Balkans, and therefore agreed with Metternich's policy. Catholic Austria could hardly give the sultan armed support against Christian subjects, but jealousy of the influence of the tsar made Metternich seek to dissuade both England and France from joint action in the near East. (On this rivalry of Christian powers in



the Balkans the sultan and his successors were long to rely, ignoring representations and defying threats of war. In the end both Habsburg and Romanof, unable to find agreement on the Eastern Question, fall and perish, and the armies of the sultan are dissolved.)

In England, too, there was jealousy of the tsar; but so far from this jealousy encouraging a policy of aloofness, it seemed the ground for co-operation. To allow Russia single-handed to win from the sultan a deliverance for the Greeks was to make the new Greece a tributary state of Russia, nominally under the sultan, but in reality under the tsar by whom its liberties were guaranteed. So a Treaty of London makes the joint action of England, France and Russia responsible for ending the massacres and murders in the Morea. Admiral Codrington at Navarino, and the landing of General Maison's French army corps in Greece, prove the sincerity of the alliance.

But it is Russia that alone declares war on the sultan and, invading Turkey, advances to Adrianople. By the time Adrianople was reached, September, 1829, both sultan and tsar were ready for peace; and the Treaty of Adrianople, while it confirmed and extended the protectorate of the tsar over the principalities of Wallachia and Moldavia, thereby hastening the kingdom of Rumania, established the independence of Greece.

The tsar of all the Russias on religious, no less than political, grounds—since the Greeks were orthodox—bore heavily down upon the Turk. Besides, tsar Alexander had a Greek, Capodistrias, for some years his foreign minister. Capodistrias returned to his native land to lead his fellow-countrymen in the war. It was denied him to be the ruler of Greece. The powers insisted on a member of some royal house, while the Greeks found the absolutist principles of Capodistrias with the paraphernalia of centralized government modelled on Russian methods intolerable. So Capodistrias was assassinated and Leopold of Saxe-Coburg declining, after acceptance, the throne, Otto of Bavaria became king. But that was not till 1833, four years after the declaration of independence.

The peasant landowners of the Morea, Greeks of the



dispersion in London and Paris, and the wealthy Greek traders of the islands and Asia Minor, all combined to overthrow the rule of the Turk.

In England the appeal was partly romantic—"the glory that was Greece"—partly an appeal to liberals to rally to the country where freedom, with "banner torn, but flying, streams like a thunder cloud *against* the wind," and very considerably commercial. For the war of Turks and Greeks made all trade uncertain and dangerous in the near East.

In France the movement to take the side of Greece was urged by men for whom the crusades were the traditional French policy and the sons of St. Louis the declared enemies of the Turk. Under empire and republic alike, the importance was discerned of French influence in lands where the sultan had his viziers. Moreover, by its alliance with England and Russia against the Turk, France was once more conspicuously a recognized power in the concert of Europe, free of all revolutionary taint, and yet not engaged in a war displeasing to liberals.

So on vastly different grounds and from a multitude of causes the independence of Greece was established. Very narrowly limited on the mainland was this new Hellenic kingdom of 1829—a map of the period shows the provinces north of the Gulf of Corinth included, but whole Greek populations in Ætolia left under Turkish misrule—while of the islands neither Crete nor Samos was restored. Small as the country was, the fact that the Greeks were at last and once more independent was of happy significance to Christians, who regarded the sultan—in the words used by Newman in 1853, when England was on the verge of the Crimean war—as "an infamous power, the enemy of God and man"; and no less to liberals, for whom national independence was an article of faith.

But if the tsar could see himself with the eyes of Europe as the protector of the little nation against the Turk, how was he to be regarded when he refused to hear the cry of national independence within his own dominions?

To tsar Nicholas I the championship of Greece and the independence of Greece had no bearing on the treatment

of Poland. For one thing the Poles were Catholics, not orthodox; obstinately Catholic. It was necessary in the interests of Russia that the sultan should be defeated, the Black Sea and the passage to the Mediterranean opened to Russian trade. It was eminently desirable to agree with England and France and constitute Greece a free state. But the Poles, with all the liberties they enjoyed under the constitution of 1815, had remained factious and disloyal. Their very constitution had been suspended by Alexander. To encourage any notion of further liberty was impossible. Poland, therefore, since it could not be content with the autonomy it possessed, must be brought within the centralization of the empire, its last traces of self-government obliterated, rather than a tsar yield to the cry of "Poland a nation."

Rarely in modern times—and the idea of nationality belongs to modern history—has the subjection of a nation to its more powerful neighbour brought satisfactory results to the conqueror or conquered. No Christian people flourished under the rule of "the barbarous Turk." Treachery, conspiracy, intrigue commonly attend the movement for national independence, while a people restive under alien rule are constantly a source of weakness to the dominion of the ruler. If neither Poles nor Greeks appear admirable or heroic in their contests of a century ago, it can only be said that subjection to tsar and sultan was no training in good citizenship. The Polish nobility, feudal in the eighteenth century, more tenacious of its own privileges than alive to the need of national unity, had learnt nothing under the tsars.

A nationalist insurrection is not commonly democratic or revolutionary. For the revolutionary is international, his aims are social and economic, his pass word is "fraternity." The nationalist is for "liberty," and this means liberty for himself and his associates. Landowners, large traders, professional men are the leaders in nationalist revolt, not peasants and artisans. The Polish nobles even on the brink of the struggle for national independence could no more forget their mutual jealousies than they could fraternize with peasants or combine with the revolutionary element

in Warsaw. As for the Polish army, highly trained and efficient, it was under the tsarevich Constantine an instrument for the pageantry of peace; it was not to be used for war when the Russians marched against the Turks. The Polish regiments were not the soldiers of the tsar, and they joined the rising when the hour struck.

But the divisions amongst the Poles, the personal ambitions and private resentments, the vastly different aims of the leaders of revolt, the insistent demands for the enlargement of Poland by the restoration of the "lost provinces" (Lithuania, Podolia, Volhynia)—all these things, so evident in 1829, were fatal to the nationalist cause. The fury of the rising ended in complete surrender. Poland was erased from the list of European nations till the fall of the Romanoffs.

The Catholic Poles in their revolt were alone in Europe—for the sympathetic messages of English liberals brought no help—and the short reign of Pope Pius VIII ended in 1830; they were defeated by the armies of Nicholas I. The hopes and anticipations of 1829 were frustrated.

In Belgium the expectant hopes of 1829 were amply fulfilled. Catholic Emancipation was accomplished in Great Britain and Ireland because liberals joined with Catholics in the demand, and the alliance was irresistible. Similarly in Belgium. Catholics and liberals each had their reasons for disliking the sovereignty of the Dutch king, William I; to each was the Dutch rule oppressive. Catholics and liberals making common cause achieved a national common triumph.

It was not in Belgium the case of a conquered people revolting against their conquerors; it was rather the dissolution of an irksome partnership, the repudiation of an uncongenial relationship that was demanded. The union of Holland and Belgium decreed by the powers of Europe at Vienna in 1815 made the Dutch, with the smaller population, the predominant partner; an arrangement not displeasing to the Dutch, but less acceptable to the Belgians, who for their part wished for independence. Unfortunately the Belgians, having no ruler to represent them, had been entirely unconsulted by the powers. To insure the Belgian

provinces from the risk of annexation by France, the powers effected the union of Holland and Belgium, and the union lasted fourteen years.

The grievances of the Belgians were no trumpery pretext invented to justify the demand for separation and independence. They were real, these grievances; they tended to increase. Hope of redress was vain as long as the two countries were governed by a constitution which made the united kingdom of the Netherlands not a dual monarchy with each part autonomous, but a centralized state, with a Dutch king, a Dutch capital at the Hague, an overwhelming majority of Hollanders in the cabinet, and with Dutch for the official language; the Belgians outnumbering the Dutch at the time by a million souls. The grievances of the Belgians in 1829 were religious, political, and economic, and complete self-government, involving if needs be separation from Holland, was already a suggested cure for the disease. Catholics and liberals were in agreement; both were held in equal contempt, their desires equally ignored, by the Calvinist king and his ministers.

On the ground of religion the resistance of Belgian Catholics to the policy of the Dutch government was inevitable. This policy, steadily maintained, despite the protests of Belgian Catholics, included the control and direction of all schools by the state. Education managed and regulated by government inspectors was the formula. The equal toleration for all creeds required by the constitution of 1814 was stretched that the secular state might be supreme. It was not sufficient that new schools should be state schools; the policy of William I was to make all public schools state schools, to place under the supervision of the state all private schools. Even the university of Louvain was to endure invasion by the state.

This battle for the schools is perennial and universal. The right of the state to be the sole authority in education is always contested by Catholics; the enforcement of the powers of the state to the destruction of Christian teaching in the schools invariably provokes resistance. No lasting peace was possible between Catholic Belgium and its Dutch government while the latter sought to remove the sanctions

of religion from the schools. At the same time, this secular policy was not distasteful to Belgian liberals who had grown up in the traditions of the French Revolution. William I by alienating the liberals and driving them to unite with the Catholics gave the movement of 1829 a force and direction, not to be hindered till national independence was established.

The freedom of the press is a battle-cry of liberals throughout the nineteenth century, and when the Dutch government in 1828 prosecuted a liberal paper for its criticisms of government policy, all Belgian liberals rallied to the standard of revolt. The political grievances of the liberals, the religious grievances of the Catholics were the basis of a general discontent with the government. The discontent passed rapidly to a lively objection to the nature of the government. It was a Dutch government, and the people—liberals and Catholics alike—were Belgians. Hence, it was argued, the injury to religion and the disregard of popular liberties. From the agitation for a change of policy and the demand for a separate administration, an awakened spirit of nationality urged complete independence as the only sure remedy for Belgian discontents. The influence of Lamennais and Lacordaire in reconciling liberals with Catholics and Catholics with liberals in Belgium, as elsewhere, must be recognized. (Later the political genius of Montalembert worked enthusiastically for Belgian independence.)

Economic causes are also perceived in the national objection to Dutch rule. The Belgian people in 1829 were an agricultural people, the Hollanders were commercial. While the few Belgian manufacturers gained by the fiscal policy of William I, and the imposition of taxes levied for the encouragement of trade and industry, the peasantry and larger landowners saw themselves sacrificed in the interests of the Dutch trader, felt themselves hopeless while Dutch rule prevailed. The Paris Revolution of 1830 gave the signal to Brussels; the incapacity of the Dutch king to meet the situation with any reasonable proposals for Belgian home rule hastened the general acceptance of the idea of independence within the country and without.

The map of Europe was changed, and the change was recognized and acknowledged in the final treaties of 1839.

Fourteen years sufficed for the union of Holland and Belgium. Fourteen years was the limit for restored Bourbon rule in France. By 1829 the change was imminent; though not perhaps to the Bourbon king, Charles X. Murmuring, "Concessions ruined Louis XVI," he dismissed his chief minister, Martignac—whose attempts to meet the growing liberal programme of reform with sensible proposals of local government had been disdainfully rejected by the opposition—and recalled Jules Polignac, the ambassador in London, to take office. To Wellington the appointment of Polignac, "ignorant and visionary," was a disturbing event. Polignac's avowed policy of "the reorganization of society, the restoration of their political influence to the clergy, and the creation of a powerful and privileged aristocracy" impressed Wellington as unfavourably as the ideas of tsar Alexander for European peace and concord had done. When metaphysical and mystical phrases intruded on politics, Wellington was suspicious. For him, it was clear that, in Newman's words, "Political questions are mainly decided by political expediency, and only indirectly and under circumstances fall into the province of theology." At a time when in France, and no less in England, political reform was the popular cry, and the liberals were daily gaining ground, to do as Charles X had done was to invite the fate of James II; so Wellington declared, mournfully concluding, "There is no such thing as political experience."

Even Metternich and Nicholas remonstrated. The Bourbon restoration with its conservative régime had no doubt purged France of its revolutionary fever, to the immense gain of European law and order. Nevertheless absolutism might not be the wisest or safest course to pursue in a country discontented but fairly prosperous, and without an army sufficiently strong to enforce the royal will.

Charles X could but follow the road he had marked all



his life. The people were not to be trusted. At any time they might rise and murder their sovereign. (Had not his own son, the Duc de Berry, been murdered by a workman, when Louis XVIII was king?) To yield to liberals was to show weakness and invite disaster. There was no reasonable halting-place on the slippery slope of political reform. To concede any measure of popular liberty was to be hurled into the revolutionary abyss.

No revolutionary abyss swallowed Charles X when the sowing of his policy was reaped in 1830. The last of the Bourbon kings, departing into exile, was succeeded by the last of the Orleanists and the liberals triumphed. The triumph was by no means a triumph at the expense of the Catholic church, for all that it brought the "anti-clerical" to the front. Lamennais, befriended by pope Leo XII, saw the hope of the world in Catholic democracy. He could allude to royalism as a "terrible disease," and shock Gallicanism even more by proclaiming the supremacy and infallibility of the pope. Prosecuted and fined under the government of Charles X, Lamennais had reminded the rulers of church and state in France that "there was in the world a person named the Pope." But that was in 1826 when Leo XII reigned. In 1829, when Lamennais published his *Progress of the Revolution and War against the Church*, with its insistence on the justice of a free press, freedom of conscience and the liberty to conduct schools not under government control, pope Leo was dead, and in the short reign of his successor, Pius VIII, papal pronouncements are neither frequent nor weighty. Not till 1832 came the encyclical *Mirari Vos* from pope Gregory XVI, with its condemnation of the doctrine and propaganda of Lamennais, and his disciples Lacordaire and Montalembert.

Lamennais's influence in 1829 was an asset to liberals; it was also of immense service to Catholics. Lacordaire was to stand forth in France, reconciling in his person the principles of political liberty and Catholic obedience; the "anti-clerical" liberal was to have no monopoly of liberal ideas. No attack on the church was prepared by the French liberals in 1829, the change of dynasty was not



resisted by Catholics. The services of Lamennais, then, in maintaining for Catholics the right to practise the duties of Christian citizenship must be fully estimated. To connect the Catholic church with royalism was to identify eternal principles with human devices. Disastrous when the human device failed to achieve its true purpose, as human devices will fail. Yes, but Lamennais with his Catholic democracy was no less identifying Catholicism with a human polity, and this was what pope Gregory XVI perceived. Catholics must no more be required to throw in their lot with French democrats—with their various schemes, utopian, revolutionary, atheistic—than with the monarchy. Lamennais, unfortunately, could not be persuaded to see the reasonableness and justice of the papal condemnation of untenable views and departed. Lacordaire and Montalembert submitted and remained; their liberalism of 1829 undiminished, their Catholicism undisturbed.

Unquenchable hope, attachment to the high principle of nationality, resolute will, and fierce desire for enlarged political liberties, these things—besmirched by the common frailties of mankind—are displayed in varying degree in Greece and Poland, in Belgium and in France in that year of grace 1829.

In Prussia the commercial policy of the time, which broke down the tariff walls and brought into a customs union nearly all the lesser German states, made evidently for national prosperity. Germany, building up a material civilization under the guidance of Prussia, was untroubled by nationalist revolt. Agitation for constitutional reform there was none in 1829. When trade is brisk and everybody is busy, political interests languish and revolutionary fervour grows cold. The rule of king Frederick William in these later years admitted no claim of liberals, made no pretence of constitutional monarchy, allowed no inclination to democracy. There is no suggestion that his Prussian subjects were restive. Conscious of the efficiency of the king's government, fully aware that they prospered, political oppression was unfelt.

Prussia in 1829 was at least preparing by the Zollverein for an imperial Germany, anticipating the growth of a

civilized and disciplined power that was to become second to none in Europe in obedience to authority and in respect for the state.

But what can be said of Portugal and Spain and of the Italy of many rulers in the same year?

In Portugal Don Miguel was engaged in assuring his position as king by destroying the supporters of Donna Maria (the girl queen, still with her father Pedro in Brazil) and the "constitution." Canning had intervened in 1826 on behalf of the constitutional regency, and the might of England had for a time held Miguel in check. Miguel, however, had put himself right with Europe by accepting the constitution, betrothing himself to Donna Maria and becoming regent. Then, impatient with a "constitution," which after all was the instrument of liberals, and anxious for the throne, Miguel dissolved the Cortes, reassembled a number of persons alleged to represent the medieval estates, and was by his followers proclaimed king. This was in 1828, and civil war with its murders and proscriptions followed; Portugal was to suffer the discomforts of civil war for the next five years, while constitutionalists fought for Donna Maria, the lawful queen, and absolutists followed the fortunes of Miguel the "usurper." Both sides were professedly Catholic; an anti-clerical element was associated with the cause of Maria.

In Spain the seeds of civil war were being sown, though peace would not be broken till the death of Ferdinand VII in 1833. Isabella, the child of Ferdinand's fourth marriage, was born in 1829; an edict in the same year, the Pragmatic Sanction, declared the Salic Law abolished and the old law of Castile which allowed a woman to be queen revived. The Salic Law had been introduced with the first Bourbon king in 1713; no national tradition affirmed it. But to Don Carlos, the king's brother, the Salic Law was of supreme authority. Its repeal excluded him from the throne. Don Carlos enjoyed, much as Miguel did in the neighbouring land of Portugal, the character of a stalwart defender of Catholic principles. Both pretenders to royal thrones took up arms and plunged, with clerical support, their countries into civil war to the very material damage

of the people and the lasting hurt of religion in the Spanish peninsula.

In Italy 1829 is the eve of the pontificate of pope Gregory XVI and the "young Italy" of Mazzini. An Austrian army for many years to come would preserve "the geographical expression" and hold apart the Italians of north and south, of papal states and archduchies.

"Nothing universal can be rationally affirmed on any political subject." Certainly not on the movements of men and nations in 1829.

JOSEPH CLAYTON.

ART. 7.—CHARLES BUTLER AND THE  
CISALPINE CLUB

THE Cisalpine Club came into existence on April 12, 1792. It was in a sense the issue, but in no sense the successor, of the Catholic Committee. The second Relief Bill had become law on June 10 in the previous year, when the Royal Assent was given; the Catholic Committee of 1787, having achieved the object for which it was set up and reached its term of office, decided not to seek re-election, and on April 21, 1792, surrendered its trust into the hands of the Catholics of England, for whom it had acted. There was no longer any urgent reason why the English Catholics should be represented by an elected body for the purpose of negotiating with the Government; and so no further Committee was called into being. Conditions had changed, and such an expedient, unsatisfactory at best, had ceased to be necessary, or even advantageous.

The Cisalpine Club did not pretend to be representative, as the Committee had been, or had claimed to be. The Committee had, at least, been elected at a general meeting, which anyone might have attended; the Club, as such foundations usually do, came into being by a process of spontaneous generation, as it were. The members of the Committee were invited to become original members of the Club; eight accepted the invitation, and five, including Lord Clifford, who had resigned from the Committee in 1790, declined; Charles Butler, who had been Secretary of the Committee, joined the Club as an ordinary member. Additional members were elected by ballot. The total membership amounted to (approximately) forty, but there was apparently no fixed limit. The Club was open to the clergy on the same terms as to the laity, and there were at the beginning four clerical members; but the two Bishops who were invited to join—Thomas Talbot, Vicar Apostolic of the Midland District, and his coadjutor, Charles Berington—both declined. The rules, drawn up at the first meeting of the Club, betray no hint that it was founded with any object

in view, beyond that of occasional social intercourse; indeed, they are tolerant of the interpretation that it was intended to be nothing more than a social gathering of men of common sympathies, who wished to keep in touch with one another. There were to be five meetings a year in the months from February to June inclusive, when the country members were likely to be in London, and every meeting was to open with a dinner.

It does not fall within the scope of this paper to pursue the history of the Cisalpine Club down to its dissolution in the year 1830, when it was succeeded by the Roman Catholic Emancipation Club. That has been done adequately elsewhere;\* and it would be labour wasted to cover ground already sufficiently traversed. In the beginning it showed a tendency to exercise a certain supervision over matters affecting Catholics in general; but subsequently it withdrew into itself, and ceased, as a body, to have any influence on the course of events and the measures adopted to meet the necessities of changing circumstances. Its chronicles have no historical significance; but the fact of its existence has much. The important point about the Cisalpine Club is not what it did, or hoped to do, but what it was intended to be, and was. It was the concrete expression of a principle, and an abiding testimony to the fact, that the men who had fought for the triumph of that principle remained faithful to it in the days of its triumph, and stood pledged to maintain the conditions on which they had won for their fellow-Catholics of England their civil and religious liberty. An entirely false view has hitherto been prevalent, and that false view has given occasion to so much wild writing, that the Cisalpines most unjustly have come to be regarded as little less than material heretics and potential schismatics. Historical justice demands that the issue at stake should be stripped of all extraneous and collateral questions, stated in its simplest terms, and judged solely on its merits.

\* *The Dawn of the Catholic Revival*, Bernard Ward, vol. ii, chap. xxii, and *The Eve of Catholic Emancipation*, by the same author, *passim*; *The Ninth Lord Petre*, M. D. Petre, chap. xxiii; *Catholic Encyclopedia*, s.v. Cisalpine Club.

The years 1778 and 1791 mark the beginning and the end of the most critical epoch in the history of the Church in England since the cataclysm of the Reformation. The former witnessed the passage of the first Relief Act, which repealed certain provisions in the oppressive Act of William III (1699), and thereby freed Catholics from some of the most crushing disabilities they incurred under the Penal Laws; the latter saw their eventual triumph in the passing of the second Relief Act, which, with certain restrictions, legalized their worship and removed from them in some measure certain civil and legal disqualifications. They could not yet sit in Parliament, vote at elections, serve in the Army and the Navy, or hold any office under the Crown; but when the initial victory had been won, further concessions were bound to come; and so in a sense the Emancipation Act of 1829 was a corollary, almost a necessary corollary, of the Act of 1791, which recognized in a tentative way the rights of Catholics as citizens. Not unnaturally these years were years of storm and stress, for all measures of reform take their toll of human passions. But it is somewhat bewildering to find that, though feeling ran high, the opposing parties were on the whole in complete agreement, and differed mainly on the lawfulness of a single word. The explanation of these troubled years is to be found in the history of the previous two centuries. Disedifying the wrangle may have been, as in certain aspects all wrangles are; but its significance for us lies in the fact that it exhibits the essential loyalty to the Church of those participants in the quarrel who have hitherto been regarded as mainly in the wrong.

With the American colonies in rebellion and France a constant menace, clear-sighted statesmen could not view with any degree of complacency a divided nation at home. The Catholic remnant in England—some 60,000 in all—was not dangerous; but the Catholic majority in Ireland was. Toleration was in the air. Catholicism had in the past identified itself with Jacobitism, and James III had been officially recognized as lawful king. But the Stuart cause had been lost at Culloden, and when James

died, Pope Clement XIII refused to recognize his son as his successor. The English Catholics rallied to the House of Hanover, and came to look upon George III not only as their actual, but also as their rightful king. There was no convincing reason why they should not be placed on an equality with their Protestant fellow-countrymen, and many reasons why they should. But from the point of view of a Protestant nation there seemed to be one serious obstacle, and that was the papal claim to Temporal Power.

The Temporal Power of the Pope—this had been the central question of European politics, since the splendid medieval vision of a Holy Roman Empire, conterminous with the Holy Roman Church, faded before the rise of modern nations in the sixteenth century. The theologians of the Middle Ages formulated their theories with their eyes on the political conditions of their own times, and Rome was slow to change. Even Bellarmine fell under suspicion for denying the direct and universal dominion of the Pope, though he stoutly advocated the theory of the indirect power, which has now won its way into general acceptance. Of the Temporal Power the Deposing Power may be regarded as the extreme scope and limit. St. Pius V had, by the Bull *Regnans in excelsis*, deposed Elizabeth, and had absolved her subjects from their allegiance. It is related that Urban VIII bewailed the action of his predecessor "with tears of blood." But his right to act as he had acted was not denied. Some theologians, *e.g.* Suarez, held that the Deposing Power was an article of faith, others that it was of ecclesiastical institution, and others, again, that it depended upon the implied consent of the Catholic powers.\* The Popes could not formally renounce it, for any such renunciation would in itself be a slur on the memory of those of their predecessors who had exercised it; and yet it was not clear that its exercise implied that the nation in whose regard it was exercised was, as a whole, Catholic, and that, if it were no longer such, it would not be exercised. Elizabeth had, however, been deposed, and her subjects absolved from their allegi-

\* Cf. Newman, *Difficulties of Anglicans*, ii, 221.



ance. Here were two solid facts, and facts are stubborn things. English statesmen were not sensitive to the niceties of theology, and the popular imagination is caught by theories in their extreme form. The inference was that in the temporal order there existed a foreign power claiming authority over the sovereign, even the right of deposition. Is it surprising that they appended the corollary, that all who recognized that authority were potential rebels? They drew that inference and acted on that corollary. The basic cause of the protracted persecution was, not religious intolerance, but panic. The Government might well have pleaded that it was acting in self-defence. In each individual case its procedure may have been illogical, but necessity knows not the laws of logic. Catholicism spelt unknown dangers; the number of crypto-Catholics in England was large, and the number of those who would have welcomed a return to the unity of the faith larger still. For the Government the crisis resolved itself into a struggle in the dark; and hence it persecuted, and continued to persecute; and the persecuted, after seeking some way or other out of the *impasse*, settled down into a state of sombre acquiescence. "The claim of the Popes to temporal power, by Divine right," wrote Charles Butler, "has been one of the most calamitous events in the history of the Church. Its effects since the Reformation, on the English and Irish Catholics, have been dreadful."\* If he had omitted the words "by Divine right," and substituted "deposing" for "temporal," who would have been found to dispute his statement?

Initially and ultimately the fate of the English Catholics depended on the answer to the question whether the Deposing Power could be described as heretical or not. Under Elizabeth the loyalists denied the validity of the deposition pronounced against her by St. Pius V and treated the Bull as a dead letter. The thirteen priests who presented to her the Protestation of Allegiance,† drawn up by Dr. William Bishop, although they did not dis-

\* *Hist. Memoirs*, i, 192.

† Tierney-Dodd, iii, Appendix No. xxxvi.

pute the Temporal Power, allowed no possible scope for its exercise in England. Yet they were not condemned at Rome, and Dr. William Bishop, although he had drawn it up, became the first Vicar Apostolic in England some twenty years later with episcopal powers as Bishop of Chalcedon. Unfortunately the Oath of Allegiance, formulated under James I in 1606, admitted the objectionable term. "And I do further swear," the fateful clause ran, "that I do from my heart abhor, detest, and abjure, as impious and heretical this damnable doctrine and position, that princes which be excommunicated by the Pope may be deposed or murdered by their subjects or by any other whatsoever."\* It looks, at first sight, as if the clause had been couched in this form, with the express intention of dividing Catholics into two parties. But a simple denial of the Deposing Power would have been just as effective; and the plea was put forward, that it had been framed on the lines of the Protestation. Probably the intention of the Government was innocent enough—the absorption of the Catholics into the general body of the nation, but it failed to attain that object through its excess of zeal in making the safeguards from its own point of view as effective as they well could be, without any attempt to understand the Catholic position. The oath was, not unnaturally, condemned at Rome on the ground that it contained "many things evidently contrary to faith and salvation"; and it became a dead letter. For a century and a half the relations between the Government and the Catholics remained more or less stationary, with a tendency on the part of the Government towards more and more oppressive legislation, for which the responsibility rests with the intransigent Puritan extremists. The first step towards the conciliation of Catholics was not taken until 1774, when the Irish were permitted "to testify their loyalty and allegiance to His Majesty, and their abhorrence of certain doctrines imputed to them." The oath, by which they did this, is significant, because it did not contain the objectionable word "heretical." The formula adopted was phrased in these terms: "I further

\* Tierney-Dodd, iv, Appendix No. xx.

declare that it is no article of my faith, and that I do renounce, reject and abjure the opinion, that Princes excommunicated of the Pope and Council, or by any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or by any person whatsoever."\* The oath imposed by the English Relief Act of 1778 contained the same clause expressed in the same words with a few verbal alterations of no account, and no objection was raised to it either by Challoner or at Rome.†

The meagre measure of relief conceded to Catholics under this Act merely served to whet their appetite for more; the Catholic Committee elected in 1787 pressed the matter on the attention of the Government, and the Government did not show itself averse from, at least, considering further concessions. Fear of the Temporal Power still lingered in the English mind, and Pitt, whether for his own satisfaction or to silence objectors, desired to be furnished "with authentic evidence of the opinions of the Catholic clergy and the Catholic universities with respect to the existence and extent of the Pope's dispensing power." Six universities were accordingly consulted, and they replied unanimously that the Pope did not possess "any civil authority, power, jurisdiction, or pre-eminence whatsoever" in England, and that he could not "absolve or dispense His Majesty's subjects from their Oath of Allegiance."‡ Charles Butler, commissioned by the Catholic Committee, drafted a Bill of relief. This Bill contained no oath, but in some instances it confined the benefits conferred by it to those who had taken, or should take, the oath of 1778.

Meanwhile Lord Stanhope was preparing a Bill liberating persons of all descriptions from the penalties attaching to non-conformity. Under this Bill Catholics would have been the greatest beneficiaries, as the laws against non-conformity lay heaviest upon them. But in the eyes of the Protestant public they occupied a more ambiguous position than other classes of non-conformists. To

\* Ward, *Dawn of the Catholic Revival*, ii, 274-5.

† Ward, *op. cit.*, ii, 275-6.

‡ Ward, *op. cit.*, i, 130.

remove the prejudice against them he drew up, on his own initiative and without consulting with them, a protestation to be signed by them, disclaiming certain tenets, subversive of the authority of the Crown, but currently imputed to them. In this very important document the opinion that "princes excommunicated by the pope and council, or by authority of the see of Rome, may be deposed or murdered by their subjects or other persons," was stigmatized as "unchristian and abominable," and repudiated as "execrable and impious"; and a declaration was added to the effect that "no church, nor any prelate, nor any priest, nor any assembly of prelates or priests, nor any ecclesiastical power whatsoever, hath, have, or ought to have, any authority or jurisdiction whatsoever within this realm, that can, directly or indirectly, affect or interfere with the independence, sovereignty, laws, constitution, or government thereof." Furthermore, Papal Infallibility was rejected in set terms, not as an article of faith, but as not falling within the scope of the belief of those who signed it: "we acknowledge no infallibility in the Pope."\* In the light of the sequel it should be observed that the word "heretical" is avoided, and that no distinction is drawn between the Deposing Power and the opinion that excommunicated princes might be murdered. The oath of 1778 bracketed them together in one clause, and rejected them simply as an article of faith; but in another clause singled out for special mention the opinion about murder, and repudiated it as "an unchristian and impious position."† The Protestation was signed by the four Vicars Apostolic, though Bishop Gibson immediately withdrew his name, by approximately two-thirds of the clergy, and by most of the prominent laity.‡ There were criticisms, some against the policy of making any profession of belief at all beyond that in the oath of 1778, a few against the tone of the Protestation, but most against the theological accuracy of certain clauses.

\* The full text may be found in Ward, *op. cit.*, i, 139-142.

† Ward, *op. cit.*, ii, 275.

‡ That the Protestation carried considerable weight may be inferred from the fact that Sydney Smith (*Peter Plymley's Letters*, No. ii) some twenty years later referred to it, though he vaguely claimed for it the signatures of "all the Catholics in Gt. Britain."

The question of a new oath came up for discussion. The Committee objected, but surrendered to argument. They drafted an oath in the terms of the Protestation. This oath was submitted to the Ministry, and modified by them. The crucial clause about the Deposing Power and the opinion that excommunicated princes might be murdered, was expressed in practically the same words as in the oath of 1606, and the term "heretical" was applied to both. The Ministry did not mean to be offensive, but merely, with official conservatism, adopted the formula consecrated by tradition, to which all Members of Parliament swore on taking their seats.\* In this form the oath was condemned by the Vicars Apostolic, and subsequently altered to bring it more closely into line with the Protestation; but the clause to which objection might have been taken was left unchanged.† On March 2, 1790, Fox's motion for the repeal of the Test and Corporation Acts was lost by a considerable majority, and the Bill for the relief of Catholics was postponed.

On February 21, 1791, the Catholic Relief Bill was introduced in the Commons. It was not the Bill as drafted by Charles Butler, but a new one, for which the Committee was not responsible, but which from necessity they accepted. In this Bill the time-honoured designations of "papists" and "persons professing the popish religion" were dropped, and the term "Protesting Catholic Dissenters" substituted. From the official standpoint this novel designation was more satisfactory, because it specified with greater precision the intended beneficiaries—viz., those who subscribed to the Protestation Oath. This oath had again been condemned by the Vicars Apostolic, or, to be more exact, by three of them, and hence the Catholics who had been working for relief found themselves in an unhappy plight. But the matter was no longer in their hands; nor did they feel that they could suggest further terms. At this crisis Milner intervened as the pamphleteer of the Opposition. He flooded the Commons with copies of his hastily written pamphlet, paradoxically entitled

\* Ward, *Eve of Catholic Emancipation*, ii, 358.

† Ward, *Dawn of the Catholic Revival*, ii, 276-278.

*Certain Facts*, objecting to the designation of "Protesting Catholic Dissenters" and to the repudiation of the Deposing Power as "heretical." The patience of the supporters of the Bill in the House was by this time almost exhausted, and they determined to proceed with their measure, as it stood. Again Milner circularized the Members with a handbill entitled *Certain Considerations*, and distributed a pamphlet containing the Irish oath of 1774, the English oath of 1778, and a new form approved of by three of the Vicars Apostolic, which could be taken "as a last resource," if the other two were deemed inadequate.\* In this the Deposing Power and the opinion that excommunicated prisoners may be murdered were repudiated separately from each other, the former being described as "false, scandalous, seditious, traitorous," the latter as "impious, heretical, and damnable." The point to be noticed is that the term "heretical" was not applied to the Deposing Power, although the opprobrious epithets used of it almost exhaust the vocabulary of abuse. In his first pamphlet Milner had stated that "however false, pernicious, seditious, and traitorous" the doctrine might be, it did not fall "within the definition of heresy as received in the Roman Catholic Church." The proposed oath also contained a clause about Papal Infallibility: "I do also in my conscience declare and solemnly swear, that the infallibility of the Pope is no article of my faith"; which, as leaving the question open for the individual, was an improvement on the categorical form in the Protestation Oath: "I acknowledge no infallibility in the Pope." In the committee stage the offending word "heretical" was deleted, the term "Protesting Catholic Dissenters" was dropped at the desire of the Committee, and in regard to Infallibility, at the instigation of the Committee, the qualification "save in matters of Ecclesiastical doctrine and discipline only" was added. In the Lords the oath, to which, in spite of these modifications, objection was still taken, was dropped; and the Irish oath of 1774, somewhat adapted, was substituted

\* The full text is given in Ward, *op. cit.*, ii, 278-80.



in its place.\* On June 10, 1791, the Bill received the Royal Assent and became law.

The miasma of controversy should not be allowed to obscure the fact, that to the Catholic Committee, and in particular to its tireless secretary, Charles Butler, must be ascribed the credit of the victory. Theirs was the initiative, and theirs, too, the persistent pressure, to which the Government eventually yielded. If it had not been for their courage, there would have been no Relief Bill; if it had not been for their perseverance, it would not have been placed upon the Statute Book. As it was, the Dissenters had to wait for nearly forty years before they obtained their relief by the repeal of the Test and Corporation Acts. The Committee made three bad tactical blunders by not objecting to the term "heretical," by admitting the designation of "Protesting Catholic Dissenters," and by accepting without demur the loose phraseology of the oath in the matter of Papal Infallibility. If, and in so far as, Milner saved Catholics from the consequences of these blunders, let due honour be awarded him; but it is a barren honour, since he won it at the cost of his own reputation. He showed himself then, as always, a man unscrupulous in controversy, regardless of truth, and altogether devoid of any sense of social decency.

The fact that the Committee existed at all has been, singularly enough, accounted to its members for blame. But those who raise such an objection lack the historical sense. The movement for emancipation in Ireland was a lay movement, and at its head was a committee of laymen. Is that to be interpreted as an indication, that the movement was anti-clerical or anti-episcopal? In the circumstances of the times neither the Vicars Apostolic nor the clergy could well have taken the lead. They still remained subject to the penalties of High Treason—even though the Acts that rendered them obnoxious to the law had become obsolete, and could hardly have been put into force. The Gordon Riots betrayed an ugly temper; and the Bishops would have acquiesced in the *status quo* rather than provoke a further storm. But that a (mainly) lay

\* Ward, *op. cit.*, ii, 280-81.



committee should act independently of, and without authorization from the episcopate, was, in the nature of things, bound to entail untoward consequences ; and to say the least, the fact that it did so was a bad precedent. But there was no clean-cut division between the clergy and the laity ; indeed, the Committee was never without clerical, even episcopal, support ; and the Vicars Apostolic themselves were seldom unanimous—really only once, and that when they condemned for the first time the Protestation Oath. There was, it is true, a feeling against the system of Vicars Apostolic ;\* and the Committee of 1782 addressed a letter to the Vicars Apostolic expressing their desire for the appointment of Bishops in ordinary, because the existing system produced an unfavourable impression in England as indicating an excessive dependence upon Rome, and so acting as an obstacle to relief. But this, in view of the reason assigned for their objection, was an unexceptionable proceeding, and two of the Vicars Apostolic expressed themselves not unfavourably. The Committee of 1787, when the London Vicariate fell vacant, wrote to Propaganda urging the appointment of Bishop Berington, and Mr. John Throckmorton issued "Letters," expostulating with the clergy for submitting the matter to a "foreign prelate," and maintaining the right of the clergy and laity to elect. But every movement has its left wing ; and it is unjust to condemn a movement for the faults of the extremists. Lest the fact should be lost sight of in the complicated ramifications of the controversy, it is essential emphatically to insist that, until near the end, the Committee had been uniformly respectful to the Bishops, eager to act with them, ready to surrender what they could *salva conscientia*. Tried beyond their strength, they were found wanting, when, the goal in sight, three of the Vicars Apostolic condemned the oath, and withholding their reasons for so doing, demanded instant compliance, although Bishop Talbot refused to act in concert with his colleagues. The Catholics of England had signed the Protestation, and the members of the

\* See Berington's *Decline and Fall of the Roman Catholic Religion in England*, p. 459 sqq.

Committee were determined to stand by their plighted word. In this instrument the Deposing Power had been stigmatized as "unchristian." The oath described it as "heretical." To the mind untrained in theology was there much to choose between the two terms? They regarded the intervention of the Bishops as in itself ill-timed, and in its consequence likely to prejudice their cause in the eyes of their countrymen. Nevertheless, when the Bill was before the House, they used their best endeavours to have it so modified as no longer to offend episcopal susceptibilities, even at the risk of exhausting the sorely tried patience of their friends in power. And regarding the controversy in retrospect, when their efforts had been crowned with success, they affirmed their consistent loyalty to the Church and their recognition of episcopal authority. "One thing in particular we wish," they wrote, "should be clearly understood:—we have invariably professed, that we never conceived an idea of departing, in any one single instance, from the belief, or the acknowledged rules of the Catholic Church; and consequently we have uniformly disclaimed the most distant intention of encroaching upon any one privilege belonging to the episcopal dignity."\*

In this document, the final act of the Catholic Committee at the moment of dissolution, they repeated their adherence to the Protestation "as a public pledge of their social and political sentiments," and declared that they could not "revoke it, in any circumstances, without disgrace."† In 1794 the Cisalpine Club, sensitive to irresponsible gossip and intent upon self-justification, set itself to define its position and advertise its *raison d'être*, and issued a statement to the effect that its fundamental principle was "firm and entire adherence to the Protestation which they in the year 1789 did in common with the rest of the English Catholics sign and present to the Legislature as a pledge and test of their loyalty to their King and the established Constitution of their Country, an Instrument which they consider as the bond of reconciliation between them and their Protestant fellow-subjects;

\* Petre, *The Ninth Lord Petre*, p. 270.

† Petre, *op. cit.*, p. 271.

and under Providence, the basis of that relief they lately received, and to which they are happy thus again to declare their full and determined adherence."\* At the same time, since the propriety of the name Cisalpine had been called in question, and proposals had been made to change it, the Club sought to allay suspicion by explaining why it had assumed the name. In these days, it must be admitted, the word "Cisalpine" has an ominous sound, but conditions have changed during the last century, and it has now acquired a connotation which it did not then possess. That it was adopted in a spirit of defiance, or from any desire to flout the authority of Rome, there is not a tittle of evidence. The word has a double application: it might be used in a theological sense or in a political; and it does not follow that those who applied it to their political principles would have accepted the theological views that were currently known under the denomination of Cisalpine. Charles Butler, in his *Historical Memoirs respecting the English, Irish and Scottish Catholics*, carefully distinguished the two senses of the word.† It is abundantly evident that the Cisalpine Club, wisely or unwisely, adopted the name without any regard for its theological implication, as an expression of their political views: or (to quote their own words) "as a mark of their opposition to those usurpations of the Court of Rome on the Civil Authority,‡ against which their Catholic ancestors had been obliged repeatedly to guard; and of their abhorrence of the doctrine of the Deposing and Dispensing Powers of the Pope, as stated and disclaimed in the Protestation, doctrines which have for above a century been distinguished by the names of Ultramontane and Transalpine." Charles Butler put the matter in a nutshell, when he wrote that the real object of the Club was "to profess openly the doctrine of the Cisalpine School,—that the Pope, or the Church, had no right to interfere in temporal concerns, or to enforce their

\* Ward, *op. cit.*, ii, 63.

† i, 6-8.

‡ Lest the expression should seem harsh, let it be recalled that Milner himself spoke of "the encroachments of the Roman Court." See *Letters to a Prebendary*, p. 55 (Richardson, 1843).

spiritual legislation by temporal power.”\* In this sense of the term, all, whether they admitted the propriety of the designation or not, were Cisalpines. Even the redoubtable Milner himself. He denied explicitly “that the Pope has any civil or temporal Supremacy, by virtue of which he can depose princes” as falling within “the faith of this Church.”† What temporal rights the Popes had possessed and exercised in the Middle Ages, he based upon the *consensus gentium*, and explained that since the “Christian Republic had been broken up, these rights had been withdrawn.” Whether Milner was or was not an Ultramontane in the theological sense, as some of his supporters seem, in a limited degree, to have been, is not very clear. In the matter of infallibility he avoided a straight issue, and dismissed it as a “scholastic question.” But certainly in *Certain Considerations*, his second pamphlet on the Protestation Oath, he claimed that “the number of persons on their (*i.e.*, the anti-Committee) side of the question who believe in the Pope’s personal infallibility is, to appearance, as small as amongst the Gentlemen on the other side.” In fact, the Committee and its opponents did not differ in principle; the issue between them resolved itself into the question how far they might go, without sacrificing one iota of their conscientious beliefs, towards meeting the wishes of the Government anxious to grant relief; and the laymen of the Committee, not being trained theologians, did not attach the same importance to the form in which they swore, as long as what they swore seemed to them to represent what they believed.

It is curious to observe how certain adjectives have become consecrated by usage in a certain application. Conformably with this tendency, the epithet “worldly” has been singled out as especially appropriate to the Cisalpines, and their principles on the relation between Church and State have been scornfully dismissed as “low views.” Their religious attitude has been summed up in the expression “worldly Catholicism.” The implication

\* Petre, *op. cit.*, 312.

† *The End of Religious Controversy*, letter xlv. Yet he spoke of “the Cisalpine Anti-papal Club.” *Ward’s Eve*, ii, 292.

is, of course, that they would, for the sake of worldly advantage, have consented to compromise their religious principles. This insinuation is a gross calumny. Charles Butler's name stands at the head of this paper, because it is, in itself, a sufficient refutation of such a charge. His was the brain of the movement, and he its controlling force; nor did it, at any moment, show any tendency to slip out of his grasp. The whole tenor of his life gives the lie to the accusation that, in order to serve his own end, he risked the danger of schism. He incurred Milner's implacable and lifelong hatred. Need that be stressed to his reproach? A great hatred is not seldom a great tribute.

Milner, a controversial giant, in domestic controversy the most unscrupulous of adversaries, pursued his opponents with vituperation to the end. Now, after the lapse of a century, that does not matter. But it does matter that he imposed his views upon posterity, and has become a legendary figure, as the champion of the Holy See against open enemies and secret traitors. Husenbeth's *Life*, published in 1862, appeared at an opportune moment. This amazing production, utterly uncritical and painfully laudatory, presented to the world a picture of Milner, as he appeared to himself, and of his opponents as they appeared to Milner. Butler, on the other hand, has had no biographer. That is a misfortune for history. The consequence is that Milner has been canonized in public esteem as "the champion of God's ark in an evil time," even as "the English Athanasius," whereas Butler figures simply as the adversary of "the champion of God's ark," and is judged accordingly. In a sense Butler was anti-papal. So, too, and no less, was Milner. The latter fact has hardly been realized; the former has been proclaimed from the house-tops. The Ultramontane movement shifted the ancient landmarks, and anti-papal came to be the equivalent of anti-infallibilist. The question of the Temporal Power, in its old and proper sense, which had vexed Europe for so long, dropped out of consideration; theologians might theorize, but politicians acted; and the past never returns. In England the extremists had their

hour of triumph, and the converts were, with notable exceptions, extremists. They did not know the history of the Catholic Church in England, and they realized hardly, if at all, the historical significance of the Temporal Power. They took Milner for an earlier exponent of their own views, and hailed him as their precursor. Hence, they would have argued, what he stood for, must be right, and what he opposed, must be wrong. The Cisalpines had no one to plead their cause, and judgement went by default. The verdict was unjust, and it is high time that it should be reversed at the bar of history.

HENRY TRISTRAM.

*Cong. Orat.*

#### Art. 8.—THE RADICALS AND EMANCIPATION

**A**LTHOUGH the English Radicals could pride themselves upon having been consistent advocates of justice to the Catholics, for a generation before O'Connell forced Parliament to override the objections of the King, the long list of distinguished advocates of Catholic emancipation contains in fact at least as many Tory as Radical names. Fox, when he introduced the Catholic petition in 1805 which Pitt had refused to present to Parliament, and which he announced his intention of opposing in obedience to the King, declared that the question was the only one upon which both he and Pitt had thought alike. And Pitt's two principal disciples in the next generation of politicians, George Canning and Lord Castlereagh, had both worked for years to secure the admission of Catholics to Parliament. They even had sacrificed office because they insisted that justice should be done. Castlereagh, after having carried through, as a young man, the enormous task of persuading the Catholics to support the Act of Union as a prelude to emancipation, had been rewarded for his great services by banishment from office. And Canning not only refused office at least once because Catholic emancipation was ruled out of the Ministry's programme, but had made its attainment as a Tory measure one of the chief ambitions of his career. When O'Connell finally confronted Wellington with the necessity to give way, Peel was almost alone among the younger Tory leaders in his resistance to concession.

The real difference between the attitude of the Radicals and the Tories was that Fox and his disciples demanded Catholic emancipation on principle, as an act of justice; whereas the Tory advocates of emancipation had been led to favour concession by considerations of expediency. In the many debates on the subject in the House of Commons, the Whigs were scarcely less insistent upon the demand for restrictive conditions to safeguard the Protestant Establishment than were the Tories. Even Grattan, who was an Irish nationalist rather than an



ordinary Whig, insisted upon the veto proposals as a condition in his Emancipation Bill of 1813; and he refused to present any further Catholic petitions until the Irish Catholics climbed down from their attitude in demanding unconditional emancipation. It was Canning and Castlereagh who devised the ingenious scheme, intended to overcome Catholic objections to the veto, which would have virtually entrusted the nomination of Catholic bishops to the Catholic gentry in both countries. And Grattan, though he did not accept responsibility for that highly explosive proposal, adopted the Canning-Castlereagh clauses as an integral part of his Bill.

The attitude of Charles James Fox, however, revealed the real devotion to liberty for its own sake which was to inspire all the Radicals who looked to him as their master. The French Revolution had profoundly affected the attitude of both parties, by the time the Catholic Relief Act of 1791 was under discussion. Pitt had definitely made up his mind that the Catholics ought to be conciliated and encouraged. But it was Fox who lifted the discussion on to a higher plane, when the compromise to which the Catholic Committee had consented came before Parliament. They had not anticipated such encouragement from Pitt, and they were still profoundly concerned to obviate every possible suspicion as to their loyalty to the Crown. Milner had rushed to London to defeat their adoption of the preposterous title of "Protesting Catholic Dissenters," and had mobilized Mr. Thomas Weld of Lulworth, as a personal friend both of Pitt and of the King, to intervene with a formal letter repudiating the claims of the Catholic Committee to be representative. But the Bill in its obnoxious form had been introduced, and Pitt had left the House in doubt as to what exactly was meant, when Fox rose to move the adjournment on the ground that all Catholics should be equally liberated, whether they preferred to be called Papists or to distinguish themselves by the new title after taking the oath of allegiance. On many occasions Fox spoke in similar terms, brushing aside all considerations as to whether the Catholics had shown themselves to be respectable and loyal citizens, and claiming

their right to equal citizenship on the ground that no class of men should be penalized for their religious convictions.

Fox's attitude was all the more important because of his intimacy with the Prince of Wales. His political influence upon the young Prince was notorious, and the Prince even defied his father openly by applauding Fox's speeches in the House of Commons. George III's objections to Catholic emancipation were equally known, but of late the King had been showing marked favour to his Catholic subjects. He had stayed with Lord Petre, a few years after the Gordon riots, and soon after, he stayed at Lulworth with Mr. Weld. He repeated the visit some years later; and again a third time, when he brought the Prince of Wales as well as the Queen to stay in the house that had once been the home of Mrs. Fitzherbert in her brief first marriage. It looked then as if even the Prince's secret marriage with the Catholic widow had been forgiven. But there were special reasons which compelled the King's attention to the Catholics at the time. The Revolution had brought a stream of exiled priests and nuns to England; and after the massacres of 1793, the King associated himself directly with the appeal for funds to relieve their distress. Edmund Burke was rousing the country with his passionate denunciations and appeals, and for some time it was impossible to distinguish between the religious and the political crusades that were being organized against the revolutionary Government.

To Pitt, the necessity of finding recruits for the war with France brought stronger reasons than ever for conciliating the Catholics and removing their grievances. He agreed, after long negotiation, to reorganize the royalist remnants of the old Irish Brigade; and as a British military unit they were sent out to serve in the West Indies. When later he discovered hopes of extinguishing the Irish Parliament, which had caused him constant anxiety for years, the need to conciliate became stronger than ever. Castlereagh, as Irish Secretary, even succeeded in winning over the Irish Catholic bishops and leaders to acceptance of the Union, on the understanding that Catholic emancipation

was to follow as part of the settlement. But by the time that the Union had been carried, the King's sympathies with the Catholics had evaporated. He denounced as "the most Jacobinical thing I ever heard of" the suggestion that Castlereagh's pledges to the Catholics should be carried out. The Catholic question had to fall into abeyance until Pitt came back again four years later, when he astounded the Irish Catholics by announcing that he must oppose any attempt to carry a Catholic resolution.

Fox, as leader of the Opposition, introduced their petition with enthusiasm. But when, two years later, Fox became the principal commoner in the "Ministry of All the Talents" formed after Pitt's death, he found himself confronted with the same difficulties which Pitt had declined to face. In practice, there was little to choose between their handling of the question. Pitt's own conviction of the necessity for Catholic emancipation never wavered, and his disciples continued his own intentions of assisting the measure after his death. Fox expressed sympathy in announcing that he could do nothing against the King's wishes on the matter for the time being, but his death a few months later left the question still untouched. It was upon his friendship with the Prince of Wales the Catholics had counted most. The Prince had repeatedly told public men in private conversation that he would seize the first opportunity of granting justice to the Catholics. And his twenty years of married life with Mrs. Fitzherbert, during which he had surrounded himself with many of her Catholic relatives, had convinced the Catholics in both countries that it was only a matter of waiting until George III died. But before he became Regent in 1812 he had already parted from Mrs. Fitzherbert, and the influence of Lady Hertford had confirmed him in his dread of incurring unpopularity if his fidelity to Protestantism should become suspect. His appointment as Regent had aroused unbounded hopes in Ireland. There, O'Connell was already becoming known as the principal Catholic leader, and was announcing confidently in speech after speech that the Regent was their devoted ally. Grattan's Bill in the following year was introduced

after Catholic resolutions had been carried twice with substantial majorities, but even if it had not collapsed ignominiously, it may be doubted whether the Regent would have given his consent.

It was outside Parliament that the English Radicals were to make the chief contribution to the emancipation settlement after Fox's death. At Westminster their chief spokesman was Sir Francis Burdett, who had learned his enthusiasm for liberty in Paris during the first years of the revolution. He had become famous all over England through his election for Westminster as a Radical, and through his subsequent imprisonment in the Tower. But the French Revolution and the sense of a new era having come had produced a similar impression upon the Tory Canning, and Canning's pro-Catholic influence in the House of Commons was incomparably greater. Burdett, dressing himself picturesquely as a country squire in London, and as the husband of the richest heiress in England, was a considerable but an isolated figure, who never commanded any large following in the House of Commons. He led a handful of members out of the House on one occasion when Canning had announced that the present Ministry could not deal with the Catholic question. But his influence was never great; and in the spring of 1825, when O'Connell came to give evidence before an enquiry in the House of Lords, O'Connell complained that he had been obliged to force Burdett to bring on the Catholic question again.

Vastly more helpful than Burdett's spasmodic activities in the House of Commons was the propaganda which had been conducted with untiring energy and eloquence in the *Edinburgh Review* by its founders, Sydney Smith and Francis Jeffrey. The review had originated in their meetings as young men in Jeffrey's rooms in Edinburgh. Sydney Smith edited the first number and was one of its most regular contributors for many years afterwards. Even in its first years of publication, from 1802 onwards, they were both writing time after time in favour of Catholic emancipation, and Sydney Smith was proclaiming openly that the only serious objection which anyone could

now be found to raise was the personal prejudice of the King. Year after year Sydney Smith poured out his inexhaustible ridicule upon the prevalent arguments that were used against the Catholic claims. In 1807 he published anonymously the *Peter Plymley* letters. They were quickly attributed to him, and caused so much resentment that he was ruled out from being a favourite candidate for one of the next vacant bishoprics. In all the literature of political pamphleteering there is nothing to surpass their brilliant irony; and although they based much of their argument upon the real danger to England from a French invasion of Ireland during the Napoleonic wars, they contain practically the same reasoning that he continued right to the end.

No one who reads again the brilliant series of his articles in the *Edinburgh Review* can fail to be struck by the limitations, as much as by the courage and commonsense, of Sydney Smith's point of view. In all the earlier contributions there is the same insistence upon the insanity of a policy which kept Catholic Ireland discontented and disloyal, at a time when Napoleon might at any moment succeed in landing an expedition there. He proclaimed again and again that the Irish were not loyal and could not be, so long as they were deprived of their political rights. As a clergyman of the Church of England, he resented passionately being involved in a system which claimed a monopoly of privilege. He denounced the exclusion of Catholics from their civic rights both as an Englishman who loved justice and liberty, and as a convinced Protestant who believed in freedom of conscience. And with his robust commonsense he was infuriated by every public speech or letter in which Protestants talked of the dangers to the Establishment from the intrigues of the Vatican. Such fears, Sydney Smith declared, were too antiquated and ridiculous even for children in their nurseries. It exasperated him to hear them solemnly discussed by grown men. The Pope, he asserted again and again, was no more formidable than a waxwork figure, and the "mummeries and painted jackets" of the Romish priests were so idiotic that he could not imagine any man or

woman of reasonable intelligence being willing to tolerate them as part of a serious religion.

It is amusing to speculate as to what Sydney Smith's attitude would have been towards Catholicism if he could have foreseen the remarkable Catholic revival that took place in England very soon after his own death. He quite genuinely believed that political emancipation would destroy the last hold of the Catholic Church upon the English Catholics. He was always arguing that no self-respecting man could be expected to abandon any religion, however ridiculous he might really think it, so long as he had anything to gain by deserting it. In this opinion he was indeed deplorably encouraged by the poet Tom Moore, who paraded the fact that he was a Catholic, but in practice had lost the faith and brought up his children as Protestants. Moore even declared, after emancipation had been carried, that at last it became possible for anyone who had been born a Catholic to adopt the religion of a gentleman without feeling himself to be a deserter. It was from him that Sydney Smith found confirmation of his own assumption that Catholics were really ashamed of the superstitious practices of their religion ; and they both worked hard for Catholic emancipation in the belief that it would undermine the Church. And although Tom Moore kept his own professions of disgust with Catholic doctrine for the polite society of Holland House, Sydney Smith never hesitated to say what he thought on the matter. On one occasion, when O'Connell introduced him to a Catholic meeting as a "valiant defender of our faith," Smith interrupted him immediately with the correction : "Of your cause, but not of your faith."

For nearly twenty years Sydney Smith and Jeffrey had been exercising all their powers of argument and eloquence and ridicule in favour of Catholic emancipation, before O'Connell made the question an urgent matter at last by creating the Irish Catholic Association. When the Napoleonic wars ended Sydney Smith had been deprived of half his argument. But O'Connell created new anxieties, and once again Sydney Smith proclaimed his own real fear of the dangers that oppression involved,



while he ridiculed the absurd fear of the Pope which was made the pretext for incurring real risks. "There is not in the Pope's armoury one gun that would go off, and in his treasury not change for one guinea," he protested in many forms, with inimitable resourcefulness and whimsicality. And when the clergy of the East Riding of Yorkshire held one of the meetings which were organized everywhere to protest against Catholic emancipation, he not only opposed it alone, but drafted a counter resolution which demanded justice and equal treatment for the Catholics.

But while Sydney Smith was urging England to conciliate the Catholics on the ground that no man in his senses would continue to be a Catholic once the persecution of his religion ceased, another Radical publicist with still greater influence had entered the lists on the same side. William Cobbett had become the most powerful pamphleteer and popular journalist that England had known for many years, when his attention was unexpectedly turned towards the Catholic question by an accidental discovery of Dr. Lingard's history of England. There at last he found the secret which he had been seeking for years, as the root of all modern evils in English history. He was so profoundly impressed by Lingard's revelation of what really happened at the Reformation, that he sat down to write a history of the Reformation himself, instead of undertaking the great popular history of England which he had long planned. In Lingard's writings he had learned for the first time all that was involved for the people in the confiscation of the monasteries and the enclosure of so many common lands. And at a time when such versions of English history were entirely unknown, Cobbett, with his enormous popular following, began to publish in instalments a scathing indictment of the Reformation, which at the same time painted a glowing picture of life in Catholic England through the Middle Ages. Cobbett had no notion of changing his own religious beliefs. His ardent patriotism made him regard the established Church of England as one of the national institutions which commanded absolute



loyalty. But his writings, coinciding with the revival of O'Connell's agitation in Ireland, created a popular sympathy with the Catholics such as none of the other Protestant advocates of Catholic emancipation had ever aroused.

Cobbett threw himself into the fight for Catholic emancipation with all his vehement energy and enthusiasm. In O'Connell he acclaimed a leader of the Irish democracy who had shown that disinterested devotion to a popular cause, and the genius for organizing the latent powers of the democracy, which inspired his own campaigns in England. It gave new scope to his ardour, and he organized counter demonstrations to oppose the meetings of protest against the Catholics. When a great assembly of Protestants was organized in Kent, Cobbett appeared on an opposition platform erected on the same grounds, at which Richard Lalor Sheil spoke beside him, having hurried over from Ireland to answer O'Connell's enemies. But Cobbett did not hesitate to denounce O'Connell as a traitor when he consented to the disfranchisement of the forty shilling freeholders in the Emancipation Bill of 1825. O'Connell himself did not realize, until events opened his eyes in the Waterford election next year, the tremendous courage of the Irish peasantry in being prepared to vote against their own landlords. It was the forty shilling freeholders who drove Lord George Beresford from the representation of Waterford in 1826, and who two years later elected himself in triumphant defiance as member for Clare. How far Cobbett's pamphleteering and popular agitation affected the issue it is impossible to judge. The Reform Bill did not pass until three years after Catholic Emancipation; and by that time O'Connell himself, as an Irish M.P., had contributed more to the victory of the English Radicals than they ever contributed to helping him.

By that time it was O'Connell who brought new hope to the democratic forces in England, whereas Sir Francis Burdett had already changed his politics and had been the prime mover in trying to secure O'Connell's expulsion from Brooks's Club. His allies among the English

Radicals had been a strangely assorted company : Burdett, who ultimately turned against him because he behaved in public with a vulgarity which the old "roué of St. James's" (as O'Connell called him in retaliation) regarded as ungentlemanly ; Sydney Smith, who believed firmly, as a Protestant ecclesiastic, that emancipation would put an end to the survival of Romish superstitions in England ; and Cobbett, who had discovered, through the writings of a fastidious Catholic historian, that the Reformation had robbed the common people of England. But above them all there towers the name of Charles James Fox, whose manly insistence upon the first principles of liberty and justice had turned the scales in favour of unconditional relief, when Charles Butler and his Catholic Committee still thought it necessary that the English Catholics should proclaim themselves to be not Papists but "Protesting Catholic Dissenters," in order to obtain the right even to be represented by a handful of conservative landowners in both Houses of Parliament.

DENIS GWYNN.

CATHOLICISM in England will be always associated with a number of ancient families, faithful through the worst times, and largely responsible for the survival of the Old Religion in certain favoured districts. Among these families the Yorkshire Constables of Everingham hold an honourable position. At the time of Emancipation this family was represented by William Constable-Maxwell, who thirty years later recovered an ancient Scotch barony, and is therefore better known as Lord Herries.

It is interesting to note the effect of Emancipation in the career of this nobleman. Catholicism had so long been under a ban that those who professed it had become accustomed to live in the shade, and able now to come out into the sunshine of ordinary existence, they seemed at first almost to dread their new freedom. We remember Cardinal Manning's allusion both to the timidity and exclusiveness of such people, of whom he wrote, or rather quoted: "The coney are a feeble folk who dwell among the hills." The Constable-Maxwells were more enterprising than most of the Catholic families, and at once began to take advantage of the new situation—but even in their case it is not until September, 1847, that Lord Herries records in his diary at Everingham: "The Angelus tolled for the first time since the Reformation." On the same day he notes: "Killed with Henry 12 brace of partridges and six hares." Entries singularly characteristic of the inward and outward life of the writer. His son says of him: "My Father was a good rider, and an excellent shot. He never missed saying the Angelus even when out hunting."

Fortunately Emancipation came in time to give the Catholic proprietors half a century of prosperity on their estates before the era of agricultural depression began, and so much reduced their opportunities of usefulness. William, Lord Herries did not live to see the baneful change in the affairs of county gentlemen which set in in the

last quarter of the nineteenth century. His family for eight generations had suffered for their faith by confiscation, fines, extra taxation, and exclusion from public life, though just towards the end of penal times only the last of these disabilities had affected them. Lord Herries during his lifetime was allowed to breathe freely, and to make the best use of his position to further the cause which was the supreme interest of his life, and for which his ancestors had endured such innumerable hardships.

It will be useful to trace shortly the history of this family, so prominent for centuries in the East Riding of Yorkshire. For the heads of the house of Constable of Everingham in each generation were remarkably typical of Catholics at the moment, and are in themselves a kind of history of penal times. The Everingham Constables were originally a junior line of the ancient family of that name. Everingham came to this cadet branch in the time of Henry VII, through the marriage of Sir Marmaduke Constable with Barbara Sothill. This lady was descended from the Everinghams, and Pagnels, the latter an important family in Norman times, who gave their name to places in such various parts of England as Hooton Pagnel in Yorkshire, and Newton Pagnel in Buckinghamshire. They were the founders of Drax Abbey in the West Riding, and Holy Trinity Priory at York. After the separation of Normandy from England, as may be seen in documents at Everingham, half the Pagnel family chose allegiance to the King of France, and the other half remained in England as the subjects of King John.

Sir Marmaduke Constable of Everingham was the younger brother of that Sir Robert Constable of Flamborough, and Holme, who was so famous as one of the leaders of the Pilgrimage of Grace. The brothers took opposite sides on this occasion, as did their near neighbours the Askes, a wise policy often imitated in Jacobite times, as it secured a family from absolute ruin whichever side happened to win. But though Sir Marmaduke was ostensibly for the King, his lady, the heiress of the Pagnels, helped the Pilgrims when occasion served. And it is perhaps on account of her sympathies that one of the few

surviving specimens of the famous badge of the Five Wounds is still preserved at Everingham. It was evidently regarded as so sacred a relic that it has been adapted for use at Mass as a burse. According to family tradition, it is the very badge worn by Sir Robert himself in that great but futile effort to save the Faith in England.

Henry VIII came to stay at Holme, a few miles from Everingham, after it was all over, that he might have the pleasure of residing in the house of his fallen foe Sir Robert, but some of the Royal suite appear to have stopped at Everingham, where perhaps a trace was left of the event in the names of the Norfolk and Suffolk chambers mentioned in the inventory after the death of Sir Marmaduke.

The Everingham Constables even shared in the spoils of Sir Robert's estates, as they also benefited like all the gentry by the suppression of the monasteries. It is said that the guilt of his ancestors in this respect was a painful thought to Lord Herries in the nineteenth century, and that he sold much of the land which had belonged to his family for three centuries to get rid of the taint of religious confiscation. Drax Abbey, for instance, had been granted to the Constables, having been founded by their ancestors the Pagnels. It seems from various instances that when quite convenient to himself, Henry VIII granted the monastic lands back to the same families who had originally given them to Religion. Perhaps in the Royal mind there was a kind of rough justice in this proceeding. But all that now remains of Drax in Constable hands is the valuable chartulary of the Abbey. In Lord Herries' diary (February 9, 1849) occurs the following entry: "Completed the sale of my Drax estate to Col. Thompson, and received 25,000 besides the 2,000 instalment. Retained only Widow Cook's cottage and garth." In the same way he appears to have parted with portions of property which had come to the Constable family from Warter Priory, and Beverley Minster, which previous to his time are constantly mentioned in the inventories of their estates.

But to return to the history of the Constables, we find the name Philip as an alternative for Marmaduke came into the family in the reign of Philip and Mary, and it was the name of every other owner of Everingham for nearly two centuries. The sympathies of this family were no doubt always on the Catholic side, and the reign of Mary was like an oasis in the desert. But under Elizabeth the Constables compromised in such a manner as to be regarded at Rome as schismatics. That is, they were still Catholics, but attended the parish church on occasions to save their property. In the chapter called "English Papists" in Wilfrid Ward's *Life of Cardinal Wiseman*, the writer seems to think that there were a great many such schismatics in Elizabeth's reign. Mr. Ward adds in a note: "From the very interesting contemporary records in the *Douay Diaries* it is plain that it was only gradually that the priests succeeded in making it clear to English Catholics that attendance at the new worship was absolutely unlawful. On the other hand, these records go to show that the Conformity was purely external, and that Mass was heard privately when it was possible." We find the word "schismatic" used at Rome in reference to the Constables, the word "heretic" having been erased. But this unsatisfactory state of things was brought to an end by Sir Philip Constable in the reign of James I, for under the influence of a Jesuit missionary, he came boldly out into the open as a fully professing Catholic. Sir Philip's son Robert had a remarkable experience when he was confirmed by the Blessed Robert, Cardinal Bellarmine, for hearing the Christian name to be the same as his own, the famous historian stooped down and kissed the young man, instead of bestowing upon him the usual "alapa."

This Robert Constable became a Jesuit, and he says of his family at the end of the reign of James I: "By the goodness of God the Faith has been widely defused among my Family. Very few or none of my nearest friends but are Catholics." We see, therefore, how the Constables represent both the period of Catholic depression under Elizabeth, and the revival which took place in the reign of James I.

Under Charles I loyalty was the predominant note in this family, as amongst Catholics generally ; two sons fell in battle, and those who survived lost for the time being all they possessed. But it happened as in the reign of Henry VIII that in the neighbouring villages of Everingham and Holme, the Constables took opposite sides, and again Everingham was loyal, while Holme was in rebellion. Indeed, Sir William Constable of Holme obtained the unenviable distinction of being buried in Westminster Abbey beside Cromwell, and of later being exhumed as a Regicide. Needless to say, he was not a Catholic, but he extended some kind of protection to his recusant cousins at Everingham, so that the worst times were not quite so bad as they might have been for such a remarkably Catholic, and Royalist, family.

With the accession of Charles II, Sir Philip, the first Baronet of Everingham, came into his own again, after a long life of turmoil, but more evil times were in store for his family. There is at Everingham a plan representing the burning of London, which, if it had fallen into wrong hands, would have been taken as a confirmation of those worst suspicions to which the Monument used to bear witness. For the Constables seem to have collected papers of all kinds which bore upon the history of their own times, and stored them among the family treasures. They even lined the boxes in which they kept their most precious legal documents with Puritan tracts illustrated by hideous pictures of Jesuits plotting the ruin of their country ; perhaps in all this there was a certain grim humour. The next Sir Marmaduke, like his father an ardent Cavalier, came in for the Popish Plot trouble, and after imprisonment in York Castle went into exile, dying at Louvain, where his daughter Anne was a nun. This young lady was destined to exercise an influence in the nineteenth century upon Lord and Lady Herries and their children. There is a charming portrait of her as a girl in the dress of an Augustinian Canoness of Louvain, and before this picture Lady Herries was accustomed to burn lights, praying for vocations for her daughters, six of whom eventually became nuns, and of these two joined the same



Community to which Anne Constable had belonged in the time of Charles II.

Religious duty and the passion of loyalty seem to have gone hand in hand among the Catholic families of those days. A Mr. Waldegrave, a friend of the Constables, who died at Everingham in the time of Charles II, in a last letter to his children advises them not to seek promotion at Court. At the same time, his expression of loyalty is almost excessive. "Be faithful to the Roman Catholic Religion," he writes, "and loyal to the King, God's vicegerent upon earth, for whom you will stand as long as you stand for the truth of the Roman faith." This was the ideal these men lived and died to maintain. It might be a devoted Anglican like Charles I, a possible Catholic like Charles II, or acknowledged Catholics like James II and James III; it was all the same to them—it was the King, "God's vicegerent upon earth." Browning has caught their spirit in his poem "Give a Rouse." Was it not a joy to such Cavaliers "when Noll's damned troopers shot them," with King Charles upon their lips?

The last Sir Philip Constable had a short experience of the pleasing reaction in the concluding years of Charles II, "when loyalty no harm meant," and was made a Deputy-Lieutenant of the County by James II, when that King was experimenting in illegal appointments. This probably unwelcome honour brought disaster after the Revolution, and Sir Philip was glad to be allowed to leave the country. For when he was in England he spent a considerable portion of his time in the Tower, where he suffered three imprisonments. He had a doubtful way of consorting in the far north with his wife's family the Radcliffes, whose near relative Sir John Fenwick lost his life for supposed treason. Sir Philip, when at liberty, was a great collector of news-sheets, which now make an interesting series at Everingham, including a letter with an original account of the death and conversion of Charles II.

The last Baronet, Sir Marmaduke, was just as strong a Jacobite as his father, but was far more of a cultivated man of the world. There is a large collection of his letters, and those of his agent-chaplain Dom Potts, which

throw a valuable light on Catholicism in the early eighteenth century in a country district. Sir Marmaduke spent most of his life on the Continent. He indulged in the fashionable crazes of the period, collecting pictures, and if at home experimenting in landscape gardening. A confirmed bachelor, his heart went out to his great-nephews and nieces who were being educated abroad. In the case of the girls he rejoiced when they had vocations, and for the boys he was anxious to secure the best educational advantages. But the inmost passion still was loyalty to the exiled King. Sir Marmaduke's cousins, James and Charles, Earls of Derwentwater, both lost their heads in the cause, and they were his favourite companions. In some way Sir Marmaduke escaped disaster in the "'15"—but in the "'45," like his grandfather and namesake, he got into York Castle, from which he escaped to die in exile in 1746.

That was the end of the male line at Everingham, which now passed to a great-nephew on the distaff side, William Haggerston, or Haggerston-Constable, as the name now became, the grandfather of our Lord Herries. He married Lady Winifred Maxwell, the granddaughter of the Earl of Nithsdale, the memory of whose famous escape from the Tower is preserved at Everingham by a precious relic—the cloak in which the heroic Lady Nithsdale wrapped her husband when he left his prison disguised as his wife. Burns celebrated the return of Lady Winifred to her ancestral home after the long exile of the family :

The noble Maxwells and their powers  
Are coming o'er the Border,  
And they'll gae big Terregle's towers  
And set them a' in order.

It was quite an event in Scotland, and Mr. Haggerston-Constable was presented with the Freedom of Edinburgh.

However, his idea of how to "gae big Terregle's towers" was to pull down the historic castle and build a new house. He did the same at Everingham, where he removed the Elizabethan mansion and built the present hall ; and in the grounds there, filled up St. Everilda's Well, which had been a sacred place for centuries. It was

the era of eighteenth-century enlightenment, and Mr. Constable reflected his own period in having little respect for the past, either historical or religious. Indeed, it seemed inevitable that the owner of Everingham in each generation should represent the note of his time in Catholic affairs. And never did the faith of many in England wax so cold as in the period which preceded and experienced the French Revolution. The Faith in this particular case was certainly not lost, but the temperature was low. Mr. Constable's daughter, Mrs. Webb-Weston of Sutton, lamented after his death finding no provision in his will for Masses for his soul, "as it will cause scandal." All the same, he was not a Gallican, for we do not find his name associated with the Cisalpine Committee, but with the Roman Catholic Meeting—this may have been due to the influence of his son-in-law Mr. Webb, and his nephew Sir Carnaby Haggerston, for as to Mr. Constable himself, he probably cared for none of these things. From this time forward the name of Constable became subordinate to Maxwell as the surname of the family, though in the male line it was really Haggerston.

The next Squire of Everingham, Marmaduke Constable-Maxwell, lived in those last days of the penal times which must have been so irritating to the Catholic gentry. In the national fervour of the Napoleonic War, he raised a troop of horse in the East Riding, and his helmet as an officer is still preserved at Everingham; but to his great annoyance he could not legally be allowed a commission. He married Apolonia Wakeman, who was descended from the physician of Charles II made so famous by the Popish Plot. This marriage brought a fine portrait into the family, but nevertheless the Wakemans did not belong to that exclusive circle of old Catholic families, constant intermarriage within which had made all English Catholic aristocrats cousins. It was a happy divergence from precedent, and though the blood was not so blue, it no doubt improved the strain. These were the parents of William Constable-Maxwell, later Lord Herries, who lost his father when he was only sixteen, and whose later career reflected great credit upon an excellent mother.

Lord Herries was thus brought up in a place saturated with Catholic associations. He was surrounded from his boyhood with memorials of what his ancestors had suffered in the cause of the Church. And his career showed that revival of religious zeal which was the characteristic of the generation inspired by Catholic Emancipation.

There are indications that from the first he was interested, particularly for this reason, in the history of his family. He grew up to manhood in the days before Emancipation, so that the old traditions which had so long dominated the remnant of the faithful were thoroughly familiar to him. And it was given to him to witness, and take an active part in, that great awakening which followed liberation. In going through the papers at Everingham, it is manifest that he had examined them carefully, and sorted out the more valuable, his initials appearing on various bundles, with here and there notes of an explanatory nature. The father of Lord Herries had been a careful man of business, leaving all receipts and correspondence methodically docketed, and tied up with red tape. But he was a man of his age, he died in 1819, and probably the past had no attractions for him. Lord Herries was not so fond of business matters as his father, but evidently the valuable records of old penal days appealed to him, and much that would otherwise have been lost was saved by his careful arrangement of ancestral letters and historical documents.

The present writer remembers an old man who as a boy attended the festivities at Everingham in 1825, which celebrated the coming of age of the young Squire. My friend and another boy were entrusted with a large basket of fruit to take home as a compliment to their parents. It was August, and at first they found their burden heavy, as the walk was long and dusty; but gradually, as they proceeded, the basket became lighter, and by the time they reached home it was only an empty witness of guilt, which had to be discreetly hidden away. This incident left an ineffaceable impression of the glories of Everingham upon the mind of a boy of ten or twelve years. Such a celebration, indeed, was an event in the neighbourhood almost as

interesting to Protestant as to Catholic neighbours of all classes. Popery in old East Riding families was so usual that it was regarded almost in the light of an hereditary disease, for which the present generation was not responsible. For in such families Catholicism was not blamed, but regarded rather as a proof of their antiquity, and even respected as a relic of the past, carrying with it a certain flavour of romance. There was a mysterious atmosphere about their houses, standing well away from the main thoroughfare, aloof, and somewhat unapproachable, surrounded often by yew-trees, the haunt of the Old Religion. For Catholicism was fully recognized by the country people as once the religion professed by all. "We was all Catholics once," was a phrase familiar in childhood's days, spoken in broad Yorkshire—a saying which did not fail to leave an impression on the youthful mind.

William Constable-Maxwell was only twenty-five when Emancipation came, and ten years later the new chapel at Everingham was opened, a fine example of the classical style, and a copy of the Maison Dieu at Nîmes. The church was certainly on the large side for its purpose from a utilitarian point of view. For though in those days the Catholic population was greater than it is now in rural districts, and Everingham served several places, the chapel must have always been too big for its congregation; especially as within a few miles of Everingham there were domestic chapels at Holme and Houghton. There was certainly no nicely calculated less or more in this case; the glory of God was the only thought in the minds of these revivers of the true Faith. The eldest daughter of the house would describe in her old age how as a child she stood on tiptoe at her nursery window, to catch a glimpse of the long procession entering the church. And we have in the *York Courant* for July 18, 1839, an account occupying three columns of the dedication and opening ceremonies. Dr. Briggs, Vicar Apostolic of the Northern District, was the consecrating Prelate, and was accompanied on this occasion by three other Vicars Apostolic. To supply a link with pre-Reformation England the consecrating Bishop wore a cope which had

belonged to the chapel of that Henry Stafford, Duke of Buckingham, who was executed in 1521.

Four years before this great event in the unbroken Catholic history of Everingham, Mr. Constable-Maxwell (later Lord Herries) had married Marcia Mary Vavasour of Hazlewood. He proposed to her after a Hunt Ball at York, and the engagement was finally arranged, it is said, in York Minster the next morning. Hazlewood was a place like Everingham, always Catholic in its associations, and there it was claimed that the sanctuary lamp had never been extinguished. This lady was indeed an enthusiastic helpmate, and stories of her zeal were common in the Everingham neighbourhood. We see manifested in Lady Herries the result of Emancipation. For the Catholics of the late eighteenth century, and for some time into the nineteenth, were cautious, we might even say cold, in the outward signs of their religion. Holy Mass was described as "Prayers," and extreme reserve, to say the least, characterized the expression of devotion to our Lady. Statues were seldom seen, and rosaries, if used at all, kept well out of sight. But we find the very opposite to all this in Lady Herries and other Catholic ladies of high position in her generation, such, for instance, as Minna, Duchess of Norfolk. Devotion was most fervent, its outward expression freely exercised, and religious matters spoken of in what perhaps in our age seems too sentimental a manner. This was partly a reaction from the religious reserve of the last generation, and we have even heard it spoken of as a fashion of that period. But it was a great deal more than fashion; Newman exactly expressed in his famous phrase "Second Spring" the meaning of the time, not only as illustrated in movements, but in individuals. The long frost of centuries had at last broken up, and there was all the joy of reviving life, more vivid, no doubt, than we find it now in the twentieth century. For Lord and Lady Herries lived in that happy springtime when "the Angelus tolled at Everingham for the first time since the Reformation."

In the grounds at Everingham, Lady Herries loved to



erect little shrines, the remains of some of which still survive. Her husband, somewhere in a letter or journal, says how he found, as a special surprise on coming home from town, that a new shrine had been placed on the island in the lake. He remarks that he was not quite sure that he was pleased, but that he would not for the world let Marcia know. Lady Herries exercised a constant supervision over the poorer Catholics in the wide district served by the Church at Everingham, administering an unfailing charity, and at the same time encouraging vocations. The charity of a great lady in those days was of a distinctly overruling nature, but Lady Herries was regarded by the faithful as a real Mother in Israel, sometimes severe, but always kind, at any rate, in intention. We have seen that six of her nine daughters became nuns, but, to the great disappointment of both parents, not one of the six surviving sons had a permanent vocation. We find Lord Herries writing to one son on attaining his twentieth birthday, "You must learn to think *seriously* and *pray hard* to know the will of God on your behalf, and what is to be your future life. . . . Ask the Blessed Virgin to show you the path you ought to follow, and then after great diligence and prayer have courage to follow it."

Here the underlining of Victorian days emphasizes the evident hint in what direction the anxious father wished his sons' thoughts to travel. But we must admit that, with all its outward coldness, the eighteenth century produced vocations amongst the sons of the upper ten far more frequently than the nineteenth. In those earlier days three sons out of four would choose to be priests, and even sometimes the holders of titles such as Shrewsbury and Falkenberg were clerics. Perhaps we might say all other avenues were closed at that time, but this cynical idea is surely not a complete explanation of a remarkable phenomenon. The world frowned on Catholics in the time of the Georges, in the days of Victoria it gave a condescending smile, and the frown was more fruitful than the smile. One of Lord Herries' brothers, however, became a Jesuit rather late in life, and

was the principal benefactor of Beaumont College, where his portrait may be seen.

In the letter just quoted Lord Herries says that he has just come back from his Retreat at Farm Street. This was his yearly practice, and the notes he made on those occasions show how earnestly he entered into the devotion of the time. For religion, both with Lord and Lady Herries, though allowed again to have its outward signs, was strongest in that hidden life which illuminated them both. Not that Lord Herries failed to appreciate the ordinary life of an English squire. He entered with zest into all its duties and pleasures. Serjeant Bellasis, writing about his experiences in the north of England soon after his conversion, when he was introduced to several Catholic families about the year 1851, gives the following description of Everingham: "I was highly edified by the habits of the Catholic households, and was particularly struck by the natural manner in which religion was mixed up with the ordinary affairs, even the amusements of life. Whilst we were staying at Everingham the hounds were on the lawn, and the horses of the guests parading in front, and groups of gentry preparing to start when I went into the chapel; there was no one there but Mr. William Maxwell (afterwards Lord Herries), and he was on his knees, making his morning meditation in a scarlet coat and top-boots. This looked to me at first like an incongruity; I soon saw, however, that it was not so."

A surviving son of Lord Herries writes: "On hunting days my Father and his sons attended Mass in hunting clothes, pink coats and all. I was once told many years ago, that a Protestant staying at Everingham was so impressed by this sight, that it caused him to make enquiries into the claims of the Catholic Religion, which he joined long afterwards." The present writer remembers as a child seeing Lord Herries at a Meet in the early seventies accompanied by his sons, and can still recall the kind of awe with which such local notabilities, belonging to so old a race, and so mysterious a religion, were regarded by ordinary Protestant human beings. We were not quite so democratic in the

seventies, and in country places feudal tradition was still very strong ; it cast a glamour upon the scene which is now fading away, or if it survives is often confused with snobbishness, which is only its caricature.

The family at Everingham had always been great in the hunting-field. In the time of George I, Sir Marmaduke Constable and his Jesuit correspondent at Haggerston Castle, a priest who was also a keen sportsman, lament the inferiority of the rising generation, whilst they regale each other with vivid descriptions of glorious runs. But the nineteenth century was by no means behindhand in this respect at Everingham. Three successive generations of young men grew up there between 1760 and 1870, nearly all inspired by the instincts of Nimrod. There are numerous pictures at Everingham illustrating the sport : three of these are groups, one in the time of the early Georges, a quaint representation of the field in full cry, which probably contains contemporary portraits ; and two Victorian pictures, showing respectively William, Lord Herries surrounded by his four brothers, and his son the late Lord with four of his brothers. Amongst the old plate at Everingham may be seen specially constructed flasks, to be used by hunting men on fasting days, when they thought nothing of starting off early in the cold without breakfast.

In 1858 Mr. Constable-Maxwell recovered the title of Baron Herries of Terregles in Scotland. The last nobleman acknowledged by the State as Lord Herries had been the fifth Earl of Nithsdale, of Tower of London fame. Three generations had been under attainder—so Lord Herries was, legally speaking, the tenth Baron. It is said that Queen Victoria, who always especially appreciated her Scotch monarchy, was gratified by the revival of this historic title in the person of one she much respected. Lord and Lady Herries were accorded a great reception when they returned to Everingham after the event. The Catholic families in those days generally belonged to the Whig party. The disastrous alliance with the Tories in the time of James II had not been forgotten. Sir Robert Walpole had tried hard to woo the Jacobites into a more

friendly attitude. With the ordinary country gentlemen he had not succeeded, but he gained the support of Edward, Duke of Norfolk, and his far more important Duchess. Gradually, as the eighteenth century proceeded, the Whigs took up the cause of Emancipation—and the Tories to the last remained inveterately hostile. As it happened, a Tory Government, inspired by Peel and under great pressure, passed the Emancipation Act of 1829, but Catholics always realized that they owed their political deliverance to the Whig party, to which they remained attached until the times of "Papal Aggression." The action of Lord John Russell on that occasion alienated the Earl of Surrey, later fourteenth Duke of Norfolk, and gradually after that the old Catholic families, again following the lead of the Norfolks, returned to the Tory alliance. Lord Herries was not really interested in politics, but officially remained a Whig to the last.

In local affairs Lord Herries took a considerable part. There are allusions, of course, to Petty and Quarter Sessions, and in his journal for February, 1849, we find: "Law Commission came to Pocklington to induce us to build a workhouse, but it was *no go*. Langdale made a good speech against it." Here we have an example of the conservative instincts of country gentlemen, impatient of new-fangled ideas. The Honourable Charles Langdale alluded to was a leading man in Catholic circles, and a Member of Parliament. He was the neighbour and brother-in-law of Lord Herries, but a very different man to the amiable squire of Everingham. Mr. Langdale represented Catholicism in its sternest aspect; especially towards himself, but also to the world at large his attitude was severe. We are told of his ancestor, the famous General of Charles I, that even his grown-up children were so afraid of him that no one dare announce to him the fact that he was dying, and perhaps some of Lord Langdale's characteristics were handed down to his descendant in the nineteenth century. There is no doubt that Mr. Charles Langdale of Houghton was a pillar of the Faith in his generation, and that he, and men like Lord Herries, were truly representative laymen in those

tempestuous days which witnessed the revival of the Catholic Hierarchy. On one occasion during this period, when a violent anti-papal meeting was being conducted at York, Mr. Langdale rose up in the midst and made such a defence of the Faith as left a great impression. In the domestic circle Mr. Langdale and Lord Herries were no doubt a great contrast ; to be summoned into the presence of the former must have been a formidable occasion—but when the children at Everingham visited their father's study it was generally to be the recipients of sweets. Not that the numerous children of that household were brought up in luxury ; their training was on the hard side, and would compare sharply enough with the treatment of young people at the present time. But still, it was a reign of love rather than law which maintained at Everingham in those early Victorian days. As the boys grew up it was said to be a remarkable spectacle, when a Bishop visited Everingham, to see the long array of sons each in turn paying homage to the Prelate. The whole atmosphere of the place was religious, but by no means sombre. A daring innovation as a result of Emancipation was that cricket was played on Sundays in the park. We can imagine what this seemed to Protestant neighbours in the forties and fifties. The Calvinistic interpretation of Sunday, as the Jewish Sabbath and far more so, when it was even a greater sin to play than to work, reigned supreme in the East Riding in those days. As a Yorkshire woman once remarked to the parson : "No, my son he never gangs to church—but he would not read a paper of a Sunday, no, not for nothing." Lord Herries was determined to assert the right of Catholics to treat the Lord's Day in the right way. On one occasion an Evangelical Rector remarked to him that, passing through the park on a Sunday afternoon, he thought that he heard the sound of a cricket bat, and wondered if he had strayed into the realms of Satan. "If you feel like that," Lord Herries replied, "you had better keep out of my park." It is in the recollection of the present writer that the whole neighbourhood was particularly favoured by mendicants, and the explanation given was that Everingham attracted

them into the district—just as we read in Scott's *Antiquary* that a Catholic nobleman's house in the eighteenth century was a lodestone for beggars. This fact is confirmed by a passage in a letter from one of the sons of Lord Herries, who writes: "Soon after breakfast my Father would always visit his horses at the stables, usually with his children. There were many beggars in those days, and a crowd of them were usually waiting in the courtyard for him. My Father would always gently scold them at first, and tell them to look for work. But very soon his hand would go into his pocket, and coins would be distributed, and every beggar knew he could rely upon a small gift in money, as well as some food. This kindness to beggars was so well known, that when he died crowds of poor people came to his funeral."

Farming was one of the great interests of Lord Herries; he carried on an extensive home farm, as probably previous landlords at Everingham had done before him. In 1852 we find such entries as the following: "Feb. 8. Sold my wheat at Pocklington on Saturday at 48/- (15 quarters)." And again: "Sold 50 Hogs to Oliver 33/6 each." In May we read: "Bay *cart mare* I bought at Easingwold two years ago had a good colt foal by Midgely." In September the same year we find: "Sheep on hand at present: Leicester ewes 106, Southdown do. 45, Lambs 173," etc. And again: "Sold 7 Scotch galloways for 15/- each." "Sold a steer for £17-10." In October Lord Herries writes: "Sowing wheat, No. 14, at Brecks"—and again "Sowing wheat at Everingham." In those days the sheep fair at Weighton was still a great event in the neighbourhood; and in September, 1852, is the following entry: "An extraordinary good fair at Market Weighton, lambs in some cases bringing 30/- to 32/- each." In this case the personal interest of a country gentleman in agriculture in the nineteenth century was just the same as it had been in the sixteenth, for these entries about wheat and sheep remind us irresistibly of Shakespeare's *Henry IV*, where Davy asks the Squire, "Shall we sow the headland with wheat?" and receives the reply, "With red wheat, Davy." Or again we have the



questions, "How's a good yoke of bullocks at Stamford fair?" "How a score of ewes now?"—and the reply, "Thereafter as they be, a score of good ewes may be worth ten pounds." Shakespeare is here caricaturing Sir Thomas Lucy, whose splendid monument may be seen in Hampton Lucy Church in all the glory of an Elizabethan country magnate. Everingham in the time of William, Lord Herries was perhaps nearer the days of Elizabeth than it was to the present time; the old order had not changed so much then as it has now. For though Lord Herries in 1852 does mention thrashing with a steam-engine, he speaks of it as if it was a remarkable event.

Lord Herries, though essentially a man of peace, did not shrink from asserting himself in defence of his co-religionists if occasion required. In 1873 there was a good deal of adverse criticism in the papers because four of Lord Herries' sons and three of his daughters went on the pilgrimage to Paray-le-Monial. In those days such happenings were not taken for granted by the Protestant world as they are now, but were regarded as grossly superstitious. Lord Herries wrote the following letter to *The Times* on the occasion: "Would I could impress upon the hearts of my countrymen that the pilgrimage to Paray-le-Monial is one of prayer, its object the holiest that can fill the heart of a Christian, namely to testify to the world the pilgrims' love of Jesus, and as far as possible to offer reparation for the sad and sorrowful return which is made for the blessings of an infinite love. To pray for the Holy Father, the Vicar of Christ, now a prisoner in the hands of his enemies; to pray for the removal of the cruel and bitter persecutions which now afflict the Catholic Church in so many countries in Europe; and to pray that Heaven would shower down especial blessings on this country. . . . The foolish scoffs of the world may be pleasing to the unbeliever, but the day will come when many will wish to have been of the number of the humble pilgrims to Paray-le-Monial."

So spoke Lord Herries in his old age. It is difficult to realize that a layman who wrote in this manner of Catholic piety, had attained to manhood in penal times—when such a

tone in the correspondence column of a secular newspaper would have been absolutely unthinkable. But it was rather by private influence than public utterance that Lord Herries left his mark on his own and the succeeding generation. We see this in the case of his son and successor at Everingham—Marmaduke, Lord Herries, who so well carried on his father's tradition, both in religious and civil affairs, and also in antiquarian interest ; and who, by receiving an English title, was able in the House of Lords to take a more leading line in political life than his father had done. The late Duke of Norfolk also probably owed much to the influence of William, Lord Herries. Destined in future years to marry the heiress of the Herries title, the Duke as a young man was a visitor to Everingham. There are so many stories about the identity of the Duke of Norfolk being mistaken, that another one may seem superfluous. But it is said that on the first occasion when he came to Everingham the carriage duly arrived at the station to meet his Grace, but no Duke appeared to be there. An unobtrusive young man, however, asked for a lift to the Hall, and was accommodated with a seat on the coachman's box, and so the Earl Marshal succeeded in making his first entrance by the back-door ; but we cannot vouch for the truth of this legend.

Lord Herries died in 1876. He left a note saying, "I do not wish a coronet on my coffin, but if not thought presumptuous I would like a crown of thorns." This wish was carried out. There are many letters from members of the family relating to those last days, and one from Lady Herbert of Lea, so well known as a leader in the Catholic revival. Lady Herbert was present at the time, and she writes : "His loss is an irreparable one, not only to his family but to the whole Church in England. His words had such weight with all. A nobler, more generous, grand, affectionate nature never existed. And he reaped the reward of his holy and beautiful life by an equally beautiful death."

R. CECIL WILTON.

ART. 10.—EMANCIPATION AND THE  
CATHOLIC MOVEMENT IN THE  
CHURCH OF ENGLAND

FOUR years after the passing of the Emancipation Act, Keble preached his famous Assize sermon in Oxford, and with it was launched the movement, known at one time or the other as Tractarian, Puseyite, Ritualistic, and now Anglo-Catholic, which has revolutionized the practice of the Church of England, filled its bishops' days with troubles, and may, perhaps, before it is a century old, lead to schism.

I was glad to accept the invitation of the editor of the DUBLIN REVIEW to consider how far this Anglo-Catholic movement was affected at its beginning by Emancipation, and how far in subsequent years it has been influenced by the greater knowledge of Roman Catholic teaching and Roman Catholic worship that Emancipation brought to the outer world. It will, of course, be understood that I write from a different standpoint to that of the majority of the contributors to these pages, and it may be that I shall of necessity use certain terms in a sense other than that to which the readers of the REVIEW are familiar. But I imagine that this will be understood, and I am sure that it will be pardoned.

Throughout the eighteenth century, when its spiritual life was at its lowest, and until the passing of the Reform Bill in 1832—indeed, for many years longer, but the date is important for my purpose—the English Church was in close alliance with the Tory party. The Bishops voted against the Reform Bill in the House of Lords, and the Emancipation Act was denounced as part of the subversive legislation inspired by the new spirit that drove Charles X from the throne of France in 1830 and destroyed “the rotten fabric of Parliamentary representation” in England in 1832. The evangelical revival had done very little to affect the life of the Church as a whole. The Church was indeed regarded, and not unreasonably regarded, as the

champion of privilege and injustice, and there was reason enough for Dr. Arnold's often quoted exclamation in 1832: "The Church as it now stands no human power can save."

Jane Austen's novels afford striking evidence of the prevailing deadness. On Easter Day, 1800, there was one celebration of Holy Communion in St. Paul's Cathedral with six communicants. The clergy, Canon Ollard says, were "for the most part amiable and respectable gentlemen, who were satisfied to read Morning and Afternoon Service on a Sunday, and to dislike Dissenters." Canon Ollard goes on:

"The bishops were little better. Dr. Brownlow North was bishop from 1771 to 1820. His chaplain and son-in-law examined two candidates for Holy Orders in a tent on the cricket-field where he was engaged as one of the players. Dr. John Douglas was bishop from 1787 to 1807. His chaplain examined a candidate for Ordination while he (the chaplain) was shaving, and stopped the examination when the candidate had construed two words. An example of the qualifications exacted by such bishops from their Ordination candidates is on record in another case. In 1822 George Spencer, son of the Lord Spencer of the day, was to be ordained in order to take the family living. He applied to the Bishop of Peterborough, and wrote to the examining chaplain to know what books he would have to read. That gentleman replied: 'As far as I am concerned, in my character of examiner, it is impossible that I could ever entertain any idea of subjecting a gentleman with whose talents and good qualities I am so well acquainted . . . to any examination except one as a matter of form, for which a verse in the Greek Testament and an Article of the Church of England returned into Latin will be amply sufficient.' As indeed it proved."

The leaders of the Oxford Movement shared the Tory prejudices of their order, but they were in revolt against the Erastianism accepted by the eighteenth-century Tories and destined to be emphasized by the early nineteenth-century Whigs, the theory that the State is the final authority in questions of religious belief. It was against this Erastianism and the free thought with which it was connected that Keble preached from the pulpit of the University Church in Oxford, before His Majesty's

Judges of Assize on July 14, 1833. The first objective of the Oxford Movement was to free the Church of England from the humiliation of being a Parliamentary Church, as it was described (I quote from the preface to Keble's sermon) by "the partisans of the Pope of Rome," and to save it, as Dean Church wrote, from "the tendencies of modern thought to destroy the basis of revealed religion, and ultimately of all that can be called religion at all." To the Tractarians "religion really meant the most awful and most seriously personal thing on earth. Anything which tampered with it tampered with something more sacred than life itself." It was significant that Keble's protest against Erastianism had been anticipated by the Non-jurors. It implied the Catholic conception of the nature and character of the Church. It suggested that the religious liberalism of the age was the unstable sequel to the Protestant philosophy of the sixteenth and seventeenth centuries.

The Tractarians were considerably affected, perhaps unconsciously, by the Romantic Movement, which itself was a revolt against the ugly materialism of the French Revolution. Men were looking backward in an eager search for lost faith and lost beauty, though there is little evidence that the Tractarians themselves cared much for the beauty of worship. Gladstone wrote to De Lisle:

"I am delighted to see that among the antecedent forces of the Movement you have given a prominent place to Sir Walter Scott; his writings in verse and prose exercised a far-reaching influence in England, and did much to break down anti-Catholic prejudice and to prepare the way for Newman and the Oxford Movement."

Anti-Catholic prejudice, too, which had its brutal expression in the Gordon Riots, had been considerably lessened by the presence in England of a large number of French *émigrés* priests. In *The History, Description and Antiquities of the Prebendal Church of the Blessed Virgin Mary of Thame*, Dr. Lee writes:

"No less than eight thousand of the French clergy, bishops, dignitaries, and parish priests, escaped to England, impoverished, ruined, starving. Our good and high-principled George III gave

up his palace at Winchester to house nine hundred of these exiled ecclesiastics; and means were found to provide them with food and other necessities of life. As many as fifty were received and secured a refuge at Thame, residing in the Mansion House which had previously belonged to Sir Francis Knollys. While the hatred of ruffianly cut-throats and detestable French Revolutionists for England and William Pitt, our great Minister, was intense, the noble bearing and gratitude of the French clergy to our English King and people were remarkable. The presence here of these ecclesiastics tended, in a large degree, to soften British prejudice against the Faith of our forefathers; to benefit those of the English clergy with whom they came into contact; and indirectly to pave the way for the Oxford Revival of half a century later, and for the movement for Corporate Reunion of the present day.

"At Thame they had a temporary Chapel in their house-of-sojourning, where Mass was duly said. On a few special occasions—one was a Public Thanksgiving—some of them attended Divine Service in the Parish Church; during which, seated in the stalls of the Chancel in their soutanes, they said their own Breviary-office in Latin. My grandfather, the then Vicar of Thame, was intimate with many; and his father-in-law, Mr. Richard Smith, besides putting aside for several years a substantial sum or money towards their maintenance and aid, procured many benefactions from George, Marquis of Buckingham; and himself always exercised towards them a liberal and generous hospitality.

"The anointed bodies of many of the exiled clergy were laid to rest in the old burial-grounds of England, and under the shadows of sacred churches. An Archdeacon and Vicar-General of Dol, in Brittany, Michael Thoumin Desvalpon, D.D., who had died at Overies, was buried in the ancient Church of Dorchester, at the cost of Dr. Gauntlett, Warden of New College. Two of them were also buried at Thame. . . .

"Before those who returned home left the Town, they publicly thanked God in the prayers of the Church of England on a day set apart, for His mercies and blessings to them, and acknowledged the hospitalities of the English people. The Vicar preached on the occasion of this occurrence, and a beautiful touching sermon it was. The French priests revered him greatly. He had buried some of their number in the churchyard, when the services were very solemnly done; and they left him memorials of their affection and respect, both as a friend and as the Clergyman of the Parish."

Dr. Lee says that the University of Oxford printed two hundred copies of the Vulgate for distribution among the



exiled clergy, and the Marquis of Buckingham distributed another two hundred copies. It would, of course, be easy to exaggerate the results of this friendship, but there must have been results.

The soil was prepared for the Tractarians before 1829. How far did Emancipation affect the Movement?

In his *Life of Ambrose Phillipps De Lisle*, Purcell says that De Lisle believed that Catholic Emancipation was "the first step towards the restoration of England to Catholic unity," and he adds:

"No one in that day of anticipations foresaw that one of the immediate effects of Catholic Emancipation was to give an impulse to the Oxford Movement in its earliest stages, not, indeed, out of a drawing towards Rome, of which at the time there was no trace or thought in Oxford, but out of fear lest the letting loose of religious and political passions in England would threaten the safety or endanger even the existence of the Established Church."

It is curious that the Anglican clergy who supported Emancipation were almost all Protestant and Liberal Erastians, who regarded Catholicism as an exploded superstition to which they could afford to be generous. The future Tractarians were against Emancipation. Newman, then only just escaping from Liberalism, had at first favoured Emancipation, but by 1829 he had changed his mind. He writes in the *Apologia*:

"I think in 1828 or 1827 I had voted in the minority, when the Petition to Parliament against the Catholic Claims was brought into Convocation. I did so mainly on the views suggested to me in the *Letters of an Episcopalian*. Also I shrank from the bigoted 'two-bottle-orthodox,' as they were invidiously called. When, then, I took part against Mr. Peel, it was on an academical, not at all an ecclesiastical or a political ground; and this I professed at the time. I considered that Mr. Peel had taken the University by surprise; that his friends had no right to call upon us to turn round on a sudden, and to expose ourselves to the imputation of time-serving; and that a great University ought not to be bullied even by a great Duke of Wellington. Also by this time I was under the influence of Keble and Froude, who, in addition to the reasons I have given, disliked the Duke's change of policy as dictated by Liberalism."

Though he opposed Emancipation, apparently for no other reason than because it was the work of Liberals, Hurrell Froude, "a high Tory of the cavalier stamp," was the one definite pro-Roman among the Tractarians. Newman says of him :

"He professed openly his admiration of the Church of Rome, and his hatred of the Reformers. He delighted in the notion of an hierarchical system, of sacerdotal power, and of full ecclesiastical liberty. He felt scorn of the maxim, 'The Bible and the Bible only is the religion of the Protestants'; and he gloried in accepting Tradition as a main instrument of religious teaching. He had a high, severe idea of the intrinsic excellence of Virginity; and he considered the Blessed Virgin as its great Pattern. He delighted in thinking of the saints; he had a vivid appreciation of the idea of sanctity, its possibility and its heights; and he was more than inclined to believe a large amount of miraculous interference as occurring in the early and middle ages. He embraced the principle of penance and mortification. He had a deep devotion to the Real Presence, in which he had a firm faith. He was powerfully drawn to the Mediæval Church, but not to the Primitive."

Froude's devotion to the mediæval Church is very interesting in view of the common appeal made to-day by Anglicans to primitive doctrine and practice. Newman relates that Froude would not believe that "I really hold the Roman Church to be anti-Christian." Froude held that the Church of England was the Catholic Church in England. He accepted the theory, Dean Church says, that "the Church of England was the one uninterrupted Church than which there can be no other locally in England," but he insisted that the English Church possessed serious shortcomings for most of which the Reformation was responsible, and he believed—I again quote Dean Church—that "the Roman Church was more right than we had been taught to think in many parts both of principle and practice, and that our quarrel with it on these points arose from our own ignorance and prejudices."

Ignorance was generally dissipated by Emancipation, and the famous Dean of St. Paul's declares that it was "the disturbances of the Roman Catholic Emancipation and of the Reform time" which brought Hurrell Froude from the usual serious vocations of a thoughtful clergyman into

his close connection with Keble and Newman. Keble opposed Emancipation, but with little enthusiasm. Newman says:

"He never could get himself to throw his heart into the opposition made to Catholic Emancipation, strongly as he revolted from the politics and the instruments by means of which that Emancipation was won. I fancy he would have had no difficulty in accepting Dr. Johnson's saying about the first Whig; and it grieved and offended him that the *via prima salutis* should be open to the Catholic body from the Whig quarter. In spite of his reverence for the old religion, I conceive that, on the whole, he would rather have kept its professors beyond the pale of the Constitution by the Tories than admit them on the principles of the Whigs."

This seems to have been Newman's own position. Dean Church says that his feeling against Rome had been increased by the fierce struggle about Emancipation and by the political conduct of the Roman Catholic party afterwards, and his growing dissatisfaction with Protestantism had no visible effect in softening this feeling. To Newman, in 1829, Emancipation was a victory for the Liberalism which he had come to dread. Five years later the Tractarians had begun to fear that, as a result of Emancipation, the Roman Catholic Church would make great headway in England, and it is an historic fact of some importance that fear of Rome was one of the inspirations of the Oxford Movement. It is stated in the advertisement of the first volume of *Tracts for the Times*, published in 1834, that

"nothing but these neglected doctrines faithfully preached will repress the extension of Popery for which the ever multiplying divisions of the religious world are too clearly preparing the way."

And Newman wrote in Number 21 of the Tracts at the end of 1835:

"All we know is that here we are from long security ignorant why we are not Roman Catholics, and they on the other side are said to be spreading and strengthening on all sides of us, vaunting of their success, real or apparent, and taunting us with our inability to argue with them."

It was admitted that the Roman Church had "high gifts and strong claims," but it was asserted that she was in

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England "an intruder and disturber." The charge that the Tractarians were "Romanizers" was hotly denied. On the contrary, it was asserted that the Movement was the only hope for the Church of England, threatened on the one side by the Erastian Whigs and on the other by a free and invigorated Roman Church. As late as 1841 Newman wrote of Roman Catholics:

"Their great object is to pull down the English Church. They join with those who are further from them in Creed to oppose those who are nearer to them. They have to do with such a man as O'Connell. Never can I think such ways the footsteps of Christ."

That O'Connell was the hero of Emancipation was sufficient to prove to Newman's Tory mind that the whole thing was of the devil.

But however much the Tractarians may have disliked Emancipation, their Movement, in so far as it became popular and spread from Oxford to the parishes, owed its very existence to it. De Lisle seems to me accurately to summarize the connection between the Act and the Movement in a letter written by him to Cardinal Acton in 1842:

"Your Eminence is probably aware that what is sometimes called the *Puseyite*, but what ought more properly to be called the *Catholic* movement in the Church of England began about 8 or 9 years ago, at first merely taking what Anglicans call *High Church Principles* as the basis of its operations; but owing to the recent emancipation of the Catholics and the consequent greater acquaintance with Catholic books, devotions, practices, etc., which grew out of it, learned and devout men in the Church of England began to see that what they called High Church Principles could only be fully carried out under a state of things, in which all the separated parts of Xtendom should again be brought back to Unity under the Primacy of the Apostolick See. God, however, has only opened their eyes by degrees, hence though even five or six years ago your Eminence might have found in some of their writings great longings for reunion with the Holy Roman Church and the rest of the Catholic Church, yet these longings were for the most part repressed again by the conviction that what they called *Rome* was so overwhelmed with *practical corruptions* that (however desirable on other grounds), Union with Her under such circumstances was impracticable."

SIDNEY DARK.

## ART. II.—BEHIND THE SCENES OF CATHOLIC EMANCIPATION

1. *Memoirs by the Rt. Hon. Sir Robert Peel.* Part I. 1856.
2. *Memoirs of the Court of George IV.* Vol. II. By the Duke of Buckingham and Chandos, K.G. 1859.

### I

TO learn how historic events were viewed by contemporaries is to obtain a much more intimate and vivid realization of those events, and consequently it is not without interest to read the private letters and memoirs of those who played a prominent part in the crisis of one hundred years ago, when Catholics stood on the threshold of a new world, and when to Protestants of the old school the world seemed to be tumbling about their ears. We are much inclined to look upon the great event of 1829 as the mere passing of an Act of Parliament, an action which, however momentous in its consequences, is of little intrinsic interest, and we are apt therefore to overlook the sometimes intricate and always absorbing play and interplay of character and motive which preceded the actual work of legislation. Accordingly, it may not be without interest to examine in the light of contemporary documents the year preceding the attainment of Catholic Emancipation, and for this purpose I propose to quote freely from the letters of two prominent men of the time: the one, Sir Robert Peel, at one time Chief Secretary for Ireland, but at the moment with which we are concerned Home Secretary; and the other the Duke of Buckingham and Chandos, the first of that title, whose father had been Lord-Lieutenant of Ireland, and who was himself a Privy Councillor and had held several Cabinet appointments, and therefore was well acquainted with the true condition of affairs. From the correspondence of these two men much may be learnt, particularly as to the real attitude and motives of the inner circle of the British Government.

During the early "twenties" of the nineteenth century

a state of great tension existed in Ireland, and the situation was viewed with grave anxiety in England. O'Connell and the Catholic Association\* were achieving wonders in rousing the spirit and determination of the long oppressed Catholic peasantry. As early as 1824 an armed outbreak was freely expected by English statesmen, who discussed the measures that would be necessary to meet it. The Rt. Hon. W. H. Fremantle, writing on December 12 of that year, says that "the very moment matters get wrong (that is to say, whenever a rising shall take place) the Duke of Wellington will be sent over with *carte blanche* and supported by a great military force from England." A fortnight earlier Sir Henry Parnell, writing to the Duke of Buckingham, after describing the situation as "alarming," had gone on to say that

"the baneful and never-ceasing influence of the penal laws has been productive of greater agitation than ever. The junction of the Catholic nobility and bishops with the Association, and the success of the Catholic rent,† have given quite a new character to the Catholic question. . . . I feel certain that if Emancipation is not granted next Session, and such a system of executive government established in Ireland as shall give the Catholics the full benefit of it, the present commotions of the public mind will end in another general rebellion."

Such was in brief the situation in Ireland under the Lord-Lieutenancy of Lord Wellesley, yet the House of Commons did not yet share the views of the writers just quoted, for in the following year they passed the useless Bill of 1825 which had for its object the suppression of the Catholic Association, the chosen instrument of O'Connell in the rousing of the nation. It was with no great difficulty that this law was evaded. The Catholic Association was declared dissolved, and the New Catholic Association was formed nominally for the purpose of promoting the education of Catholic children,‡ thus rendering itself legal. Moreover, the Act permitted meetings for fourteen days,

\* Founded by O'Connell and Sheil in 1823.

† This was 1d. a month paid by members of the Association. It brought in as much as £500 a week.

‡ And "for all purposes not prohibited by law." A comprehensive aim.



and the Catholics availed themselves of this by regularly convening "fourteen-day meetings." Surely there was a spice of Irish humour in the notice announcing these meetings, which always ran thus: "A fourteen days' meeting will be held pursuant to Act of Parliament"; as though the Act had enjoined the meetings. This, then, was the Bill which was passed in 1825. It is curious to note that at this time Fremantle could write of this debate that "the impression of the House was manifest (*sic*) against the Catholic question altogether, and it is quite clear it has lost ground considerably"; and yet three years later Parliament was to repeal the Test and Corporation Acts, thus winning half the battle for the Catholics. Of course, the backbone of the opposition to the Catholic claims was the King himself, supported by the Lord Chancellor (Eldon), though there were also many other notable opponents including Peel himself, who (irony of fate) was later on to be the actual introducer of the Bill of '29 which granted Emancipation.

In England many statesmen supported the Bill for the suppression of the Association who were nevertheless in the main in favour of the Catholic claims, and that because they believed that the real aim of O'Connell and the Association was not merely religious Emancipation, but political separation, either at once or as the ultimate goal. Thus Lord Grenville, writing on February 15, 1825, gives expression to this view, though he was far from hostile to Emancipation.

"I am told," he writes, "that, notwithstanding all the fire and flame of the Opposition benches, the public opinion in this country is very strongly in favour of the measure; and certainly it is most natural that it should be so, since every day's report of the proceedings of the Association is calculated more and more strongly to prove that the real and hardly disguised object is separation. I live, as you know, very much retired here, but the best opinions I have met with agree that it really was indispensably necessary to put down this assembly."

But he adds immediately: "How *that* is to be done by any law, seems to me very doubtful"; and the event justified his doubts.

We have here what was a real stumbling-block to many of the supporters of the Catholics. It was intolerable to many Englishmen that British subjects should still be penalized for the practice of their religion, but, on the other hand, they felt it was outrageous that they should be asked to consent to the complete separation of Ireland from the United Kingdom, and that in this matter they should be intimidated by a band of agitators with next to no material force behind them. Consequently many Catholic supporters were much embarrassed by the Association's policy of coupling religious freedom with national independence. This feeling is reflected in the correspondence of the time, and we may take as a sample an extract from a letter written to the Duke of Buckingham by Sir Henry Parnell on January 27, 1825. He wrote:

"Before I received your Grace's letter, I felt that the Catholic leaders were doing so much to counteract all the efforts of their friends in Parliament to serve them, that I paid a visit to Dr. Doyle,\* and represented to him in great detail the various ways in which they offended the feelings of the people of England, embarrassed Lord Wellesley, and alarmed their Irish Protestant supporters. He received my remonstrances with every appearance of admitting the reason of them, and so far showed he was in earnest, that he went to Dublin the following day, and obtained a promise from Mr. O'Connell not again to mix up with Emancipation other questions which involved the best interests of the Constitution and the Established Church. As Mr. O'Connell in some of his subsequent speeches has explained away what he said before concerning these questions, I believe that some impression has been made upon him. I know that all the respectable Catholics disapprove of his very impudent course of conduct."

We may remark here that Lord Wellesley himself was very favourably inclined to the Catholic claims,† but his hands were tied to a great extent by his Chief Secretary (Lamb), who took the opposite side, and was grimly both Protestant and Tory. But while English public opinion remained for the moment fairly evenly divided (it was to

\* Bishop of Kildare and Leighlin. One of the greatest champions of the Catholic cause. He died on June 16, 1834.

† And he refused to continue as Lord-Lieutenant under the anti-Catholic Government of his brother, the Duke of Wellington.

become overwhelmingly pro-Catholic within three years), the uncompromising attitude of George IV never changed, and it is curious to read in a letter of this year: "The King is at last gone to Windsor, and the *family* follow him to-day. He is better there on every consideration, for nothing could be more ungracious and sour than his whole conduct while in town. He is in the very worst temper with his Government, and don't know how to disclose it, therefore tries every way to avoid intercourse with them. . . . The apathy of the people on the subject of Catholic Emancipation renders even that question no longer, apparently, an engine for their overthrow." And later in the same letter: "The King still in his bed, sulky, out of humour, and therefore venting his spleen when and where he can." It is strange that this attitude towards the Catholic claims characterized George throughout, for not only had he married a Catholic, but he had also received with marked kindness numerous refugee nuns from abroad, and had performed many small services for Catholics during his reign, so much so that there have been those who have surmised that he was secretly a Catholic himself.

And so we come to the Catholic Relief Bill of 1825, which was immediately preceded by innumerable petitions to Parliament both for and against the measure. Lord Grenville was strongly of opinion that it must be passed now or never, together with a monetary provision for the Catholic clergy and a rise to £20 in the electoral qualification. An interesting view of the matter is given in the following letter from the Rt. Hon. Charles Wynn:

" . . . There certainly is an apathy and indifference in the Protestant party, which looks as if they would be well contented to be rid of the question if it could be carried without their confessing any change of opinion. . . . Some of the bishops have begun, I am told, to hold language which shows they think it advisable to be prepared, if *necessary*, to mount cardinal's hats.

"My greatest fear is, that in the very probable event of a considerable increase of support, but ultimate failure in, the House of Lords, the Catholics will have discovered that they have in fact made a greater step to success by the alarm which

the Catholic Association excited, than by their good conduct during the Queen's trial, and all the arguments their friends could ever urge in their favour. If they choose to act upon this, and really to bully in good earnest, Emancipation would be thrown at their heads in six months."

Truly a significant confession, this; especially as coming from such a source!

It was generally anticipated that the Bill would pass the Commons by a small majority, but be thrown out by a large majority in the Lords: and such proved the case. Nevertheless it was recognized by very many that the cause must ultimately be gained, though many did not care to recognize how far public opinion had swung in favour of the Catholics. They thought, however, that if this concession were granted it would prevent any further alteration with regard to the Protestant Establishment, and would put a stop to further Catholic agitation. The Bill passed the Commons by a majority of twenty-seven on April 21. Three days later the Duke of York, who was then Heir Apparent, made his famous speech in the House of Lords violently opposing Emancipation. The Duke had had a strange career, and had been simultaneously Bishop of Osnaburg and Commander-in-Chief of the British Army,\* in which last position he had suffered disastrous defeats by the French in two campaigns. His speech on this occasion caused a great sensation and greatly annoyed George IV, for the Duke spoke plainly in the capacity of Heir Apparent, indicating his view of the Coronation Oath and showing what he would do when he succeeded his brother. And this although he was sixty-two at the time and his brother sixty-three! In point of fact, he died some eighteen months later after this speech and three years before his elder brother. Both the King and the Government were much embarrassed and annoyed by this tactless utterance. "Nothing can be more ill-judged, and nothing is more generally condemned, than the language used by the Duke of York," wrote one well-known Privy Councillor. Lord Grenville, too, remarked on the King's displeasure at this very "improper declara-

\* He was commonly referred to as "The Bishop."

tion," and commented that "no man would like to hear his presumptive heir making declarations in public of the alterations which he means to make or not to make in his house on succeeding to it. And this still less when done by a man only one year younger than the actual occupant."

In any case, the Bill had to be proceeded with, and it passed its third reading in the House of Commons on May 10 by a majority of 21, but a week later its second reading in the Lords was lost by 48 votes. The defeat of the Catholic Relief Bill naturally caused much dissatisfaction in various quarters, and notably in the Grenville party. The Duke of Buckingham, a kinsman of Lord Grenville, called a meeting at his house of all the peers in his party, and there on May 27 a series of Resolutions were proposed by the Marquis of Londonderry and unanimously adopted. These may be summed up as declaring the injustice as well as the folly of denying civil rights to the Catholics, and expressed the opinion that "without such civil equality there is no hope of permanent tranquillity in Ireland." It is significant that the document was signed by forty-two Protestant peers, all of whom possessed property in Ireland, and was also endorsed by Canning. Nothing, however, came of this manifesto, and then, so far as English political circles were concerned, the question of Emancipation lapsed altogether until three years later, which brings us to the eve of the great event.\*

## II

We have reached the year 1828 in our survey of contemporary correspondence, a year in which important steps forward were taken in the matter of securing justice to Catholic citizens, and it is in this year that Sir Robert Peel starts his *Memoirs*, the first volume of which he devotes to the Catholic question.

It is unnecessary to say that Peel was for the greater part of his life a firm opponent to any concessions to the Catholics, his opposition being chiefly due to political

\* Lord Liverpool's Government terminated in 1827, and the next eighteen months saw the short ministries of Canning and Goderich. Wellington became Prime Minister in 1828.

considerations. He looked upon the maintenance of the Protestant Establishment and the Protestant ascendancy in Ireland as the only bulwarks of English rule in that country. Grant the Catholics political influence and it is the beginning of the end of English government in Ireland. Such was his view, for he held that the movement for independence was inseparably intertwined with that for religious freedom, a belief which the conduct of O'Connell, as we have seen, went far to justify. Were he alive to-day, he might justly say, "I told you so"; though he would doubtless be considerably relieved by the spectacle of the solution to the problem afforded by the Free State Government.

The threat, then, which Catholic Emancipation would cause the Protestant Establishment, and, moreover, the temporal power of the Holy See, her influence over her children in worldly matters—these things, and probably some vague idea (so common amongst Protestants) that a good Catholic could not be a loyal English subject—an idea at least as old as Henry VIII—these things caused Peel to range all his influence against the friends of Emancipation, and he felt himself strengthened by the example set him twenty years previously by the younger Pitt. Pitt, while, at least nominally, supporting some measure of relief for Catholics, had publicly admitted his opinion "that in no possible case previous to the Union could the privileges demanded by the Roman Catholics be given consistently with a due regard to the Protestant interest in Ireland, to the internal tranquillity of that kingdom, the frame and structure of our constitution, or the probability of the permanent connection of Ireland with this country."

Such was the attitude of Sir Robert Peel, one of the most influential statesmen of the time, and he may fairly be said to represent a considerable number of those who opposed concessions to the Catholics. Yet events were too strong for him, and he lived to be one of the most powerful champions of the cause. Now since this was the position of very many English politicians in 1828, and since these same men were those who passed the Catholic Emancipation Bill of 1829, it is clear that an understanding



of the events of 1828 and of how they affected the minds of English Parliamentarians is necessary to an appreciation of the motives of these men in supporting Catholic claims, thereby deserting the position they had so long and so bitterly defended. The year 1828 will explain much, and, accordingly, to a consideration of that year we now pass.

Attention has already been drawn to the Act of 1825 which was aimed at the Catholic Association, and which had proved so singularly ineffective. The question now arose as to whether it should be renewed, for in the ordinary course of events it would expire during this year. In this matter the Government found themselves in a difficulty not unlike that which faced the Government of 1919: on the one hand, there was the imprudence of attempting coercion, and, on the other, the dangerous loss of prestige that would be incurred by letting the matter drop and tacitly allowing the Irish to have their way. The Act of 1825 had notoriously failed to be effective, and yet it seemed it could not be abandoned without grave danger. However, the Lord-Lieutenant\* was strongly opposed to its renewal, as was also the Chief Secretary, as appears plainly in their correspondence with Peel. The former expressed the hope that Parliament would keep quiet, and thought that the less that was said on the matter the better it would be, and that in time the matter could be smoothed over. He continued:

“If, however, we have a mind to have a *good blaze* again, we may at once command it by re-enacting the expiring Bill, and when we have improved it and rendered it perfect, we shall find that it will not be acted upon. In short, I will back Messrs. O’Connell’s and Shiel’s and others’ evasions against the Crown lawyers’ laws.”

It was thought the lesser of two evils to annoy the more fiery Protestants by allowing the Bill to expire, rather than to stir up the Catholics yet more and heal their internal differences by renewing it. On April 12 the Lord-Lieutenant sent a strongly worded Memorandum to the Government urging forbearance, stating his belief that it

\* Lord Anglesey had been appointed to succeed Lord Wellesley on February 27. He had had a distinguished military career, and had fought in Spain and at Waterloo, where he lost a leg.

would be impossible to frame a thoroughly effective law, and expressing the opinion that if the Catholics were left to themselves the Association would soon break up. This last opinion he based on the friction which he believed to exist between the clergy and the Association, and also on the irritation felt by the Catholic landowners over the "Catholic rent" paid by their tenants to the Association.

In actual fact the Government decided not to seek a renewal of the Bill by Parliament. Peel voices the feeling that it was impossible to curb by direct legislation the activities of the Association.

"The truth is," he wrote, "that without the absolute suppression of all liberty of speech, or at least of the power of holding public meetings of any description, it was no easy matter to frame enactments which should preclude evasion by the able and astute men who directed the proceedings of the Roman Catholic Associations that existed from time to time under various denominations and professed various purposes."

The chief cause of weakness was the fact that the Government of the day were divided on the Catholic question, and that it would have been practically impossible to form a unanimous Cabinet, for those who agreed on this question differed on other and (in the English view) more important matters. But the scale was steadily inclining in favour of the Catholics. For long the chief obstacle had been the conscientious scruples of George III, but that had been removed as long ago as 1812 by the insanity of that monarch and the consequent establishment of a Regency. Moreover, many well-known men commanding a following had changed their views. Notable instances of this were Canning and Castlereagh, and later, of course, Peel himself. Early in this year, however, there took place an event of the utmost importance which profoundly affected the whole question of the Catholic claims. This was the motion made by Lord John Russell for the repeal of the Test and Corporation Acts—Acts aimed chiefly at the Non-conformists, and requiring that office-holders and members of Corporations should receive the Sacrament according to the rites of the Church of England.

This motion, although it was opposed by all the influence and authority of the Government, was passed by 237 votes to 193. Nevertheless the Government, despite the size of the adverse majority, did not resign, for they felt they would not be justified in abandoning the King at such a moment. At the same time, they felt that it would be most unwise to precipitate a conflict between the two Houses by sending the measure at once to the Lords; and, acting on the advice of Peel, efforts were made privately to win over the spiritual peers before the measure should come on for discussion. In this matter Peel was the spokesman for the Government, and he was so successful that the Bill eventually passed. The original motion had been put by Lord John Russell in the Commons on February 26, and so expeditiously was the affair managed that it had successfully negotiated all the intermediate stages in both Houses and had been actually passed by the Lords by April 28. On April 19 Lord Grenville had written:

"From what has passed in the House of Lords it seems probable that there will be no division there on the Dissenters' Bill. Eldon, abandoned by his bishops, seems, as was to have been expected, to make a poor hand of it; and whatever else of good or evil may be going, the dissolution of that league is a great public benefit."

This, as we have seen, was largely the work of Peel, who had, incidentally, thereby considerably helped on the cause of Catholic Emancipation also. For once Dissenters were freed from their penalties it was difficult to see much justification for maintaining the Penal Laws against the Catholics, and in any case it certainly raised Catholic hopes considerably higher and made the Catholics the more determined to persevere until they were successful.

The Anglican bishops had on the whole been reasonable over the Dissenters. One of the most influential of them, van Mildert, Bishop of Durham, would have liked a postponement of the matter until the Government could mediate between the Church and the Dissenters. But he went on (in a letter to the Bishop of Oxford):

"All I am anxious for is to have some demonstration of affection and respect for the Church in the Upper House, and

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on the part of the Government, as a counterpoise or a check to the increasing spirit of disaffection to it in the Commons; and I cannot help thinking that some firm and temperate measure, originating in our House, and from the friends of the Church, might avert the evil, and be received thankfully by the country at large."

The bishops could not but realize that many people received Communion who were not fit for it, and, in fact, received it for the express purpose of "qualifying" for office. At the same time, many agreed with the Bishop of Oxford that to affirm, as did Lord John Russell, the equal rights of all sects, and at the same time to speak of an Established Church, was a contradiction in terms, and that an established religion necessarily implied superiority of privilege. They maintained that the logical conclusion from Lord John Russell's argument was the Disestablishment of the Church of England. And, indeed, to some it seemed as though Disestablishment must be imminent—almost as imminent as it seems to many to be to-day. In the present condition of the Church of England it is curious to find Disestablishment mooted as long as a hundred years ago.

Needless to say, Lord Eldon waxed highly indignant at the passing of this Act, and particularly at the support given to it by the bishops. The Bill, to his mind, was, as he wrote to one of his daughters:

"... in my poor judgment, as bad, as mischievous, and as revolutionary as the most captious Dissenter could wish it to be. . . . The administration have, to their shame be it said, got the Archbishops and most of the Bishops to support this revolutionary Bill."\*

And, speaking in the House of Lords, the same noble Peer observed

"that he had voted against such a Bill before some of their Lordships now supporting it were born; and he might say the same of some of the Right Reverend Prelates who were so strangely showing their attachment to the Church. The last time the question was agitated in the House of Commons was in 1790, when there was a majority of 187 against it. Nothing had occurred since to make it less mischievous."†

\* Peel, *op. cit.*, p. 99.

† *Ibid.*

On this, however, Sir Robert Peel pertinently remarks that something *had* occurred since the period alluded to, which it would not have been wise to exclude from the consideration—namely, that the majority of 187 which voted against the Bill in 1790 had been changed in 1828 into a majority of 44 in its favour. To reject it would therefore have meant a prolonged and dangerous conflict with the Lower House.

I have dwelt at some length on this Bill because it acted as a most useful preliminary to the consideration of the Catholic claims which was shortly to hold the stage. Only ten days after the passing of the Bill in favour of the Dissenters (*i.e.*, on May 8, 1828) Sir Francis Burdett in the House of Commons moved a Resolution to the following effect:

“That it is the opinion of this Committee that it is expedient to consider the state of the laws affecting His Majesty’s Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant Establishment, and to the general satisfaction and concord of all classes of His Majesty’s subjects.”

At first sight this does not appear a very generous resolution, but in truth it was of the highest significance. The real stress is to be laid on the last clause, emphasizing the necessity for satisfying *all* classes. It was, in fact, a feeler towards Catholic Emancipation.

This Resolution was passed in a Committee of the whole House by 272 votes to 266 and was communicated to the House of Lords, and thus for the first time in that Parliament there was a majority in favour of the Catholic claims. It is noteworthy that four members of the Government (including the Chief Secretary for Ireland) voted in favour of the Resolution, though Peel was still opposed to the Catholic claims and voted with the minority. Nevertheless this debate was largely responsible for his subsequent change of sides, for he remarks in his Memoirs that three facts impressed him on this occasion. The first was that there was now a majority of the House in favour of the

Catholics; the second was the preponderance of talent and influence on the side of his opponents; and the third was that most of the younger members who had hitherto been opposed to Emancipation had by now changed over, and that rarely, if ever, was the list of speakers against concession reinforced by a young member even of ordinary ability. The whole trend of feeling seemed to flow steadily in favour of the Catholics, and this weighed much with Peel. Brougham, who closed the debate, remarked that not one of the speakers who had opposed the motion had affirmed that things could remain as they were, and that "it was impossible to deny the great progress which this question had made in Parliament and the much greater out of doors."

This success had been achieved on May 14, and five days later Sir Francis Burdett and some of his chief supporters had a conference with the Peers in the Painted Chamber, after which the whole matter was discussed in the House of Lords, but after a lengthy debate it was rejected on June 10 by a majority of 44. And this was the situation when the curtain rang up on the next crisis in the drama: the famous Clare Election.

As is so often the case, this was led up to by a series of events which appeared to be not even remotely connected with it. Who could have thought that the disfranchisement of an obscure English constituency could prove the prelude to the great outburst caused by the Clare Election? Yet so it was. On May 20 a Bill was brought into the House of Commons for the disfranchisement of East Retford, its franchise being transferred to Birmingham, and on this Bill Huskisson thought fit to vote against the Government. After the division he wrote to the Prime Minister (the Duke of Wellington) expressing his willingness to resign in order to preserve the unanimity of the Cabinet, but little thinking that his offer would be accepted. The Duke, however, insisted on taking him at his word and accepted the resignation. Thereupon five other Ministers also resigned in protest (including the Chief Secretary for Ireland), and in the consequent ministerial changes which became necessary Mr. Courtenay was pro-



moted to be President of the Board of Trade, and was succeeded by Mr. Vesey Fitzgerald, who, on June 16, was appointed Treasurer to the Navy. A few days later he was appointed President of the Board of Trade, and this necessitated, of course, a by-election in his constituency where he had to offer himself for re-election. Fitzgerald, as it happened, was the member for Clare, and O'Connell's opportunity had come.

### III

In the latter part of June, 1828, the Clare Election took place, when, as all the world knows, O'Connell, although a Catholic and therefore ineligible for a seat in Parliament, defeated his opponent by the resounding majority of 1,075. The victory was the more remarkable in that Fitzgerald had the full influence of the county families behind him, a useful record of Parliamentary work to his credit, and the reputation of being an ardent supporter of Catholic Emancipation. But nothing could withstand the enthusiasm and *verve* of O'Connell and his supporters. If any Protestant could have won, Fitzgerald would have been victorious, but the day of the Protestant ascendancy was over.

It was at once seen by all that this event was epoch-making. The Clare Election was clearly a turning-point in the Catholic question. Lord Eldon himself, in a letter to his daughter written shortly after the event, expresses this opinion thus:

"Nothing is talked of now which interests anybody the least in the world, except the election of Mr. O'Connell. . . . As Mr. O'Connell will not, though elected, be allowed to take his seat in the House of Commons unless he will take the oaths, etc. (and that he won't do unless he can get absolution),\* his rejection from the Commons may excite rebellion in Ireland. At all events this business must bring the Roman Catholic question . . . to a crisis and a conclusion. The nature of that conclusion I do not think likely to be favourable to Protestantism."†

\* A sidelight on the Protestant idea of "Absolution."

† Peel, *op. cit.*, p. 106.

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Before the election took place Fitzgerald had written in the greatest perturbation to Peel, describing the state of excitement visible throughout the county, and Peel had replied in encouraging tone. His attitude may be judged from this extract :

“ . . . Disregard entirely all personalities, whether proceeding from O’Connell or others of his stamp. It really is quite unnecessary for a gentleman and a Minister of the Crown to notice the low slang of a county election. . . . File an information against Mr. O’This or Mr. MacThat, and every real gentleman will applaud the true courage of doing so.”

Advice of this kind was hardly likely to further the Protestant candidate’s success! Fitzgerald, in the midst of his worries, could but reply :

“ Nothing can equal the violence here. The proceedings of yesterday were those of madmen, but the country is mad, and they have been allowed to proceed in the career of revolution. It will not, cannot, end well. As to myself and my election, I am now embarked, and must go through with it. I fear it will be a tremendous contest. . . .”

Needless to say, the authorities had taken all possible precautions against outbreaks of violence, and the military and police were greatly augmented. Nevertheless Fitzgerald complained to the authorities that he was not sufficiently protected. It is interesting to learn from a letter written by the Lord-Lieutenant to Peel what exactly was the force at hand. Lord Anglesey writes :

“ I think he (Fitzgerald) cannot be aware of that by which he is surrounded.

There are at Ennis near . . .	300 constabulary.
At Clare Castle (close at hand)	47 artillery, with 2 six-pounds.
	120 cavalry.
	415 infantry.
Within a few hours . . .	183 cavalry.
	1,313 infantry.
Within 36 hours . . .	28 cavalry.
	1,367 infantry.
	2 six-pounds.

These are placed at the disposal of the General Officer, as are also reserves, at a further distance, of one regiment of cavalry and above 800 infantry. If this cannot keep one country quiet, we are in a bad way."

The effect of this election was not lost upon the Home Secretary (Peel), hitherto so hostile to the Catholic claims. He realized that things were no longer as they had been and that a modification of his attitude was necessary, and let it be said to his credit that, having once realized this, he did not hesitate in the face of the certain obloquy that would follow his political apostasy. The man who was later to reverse his attitude on the matter of the Corn Laws, and thereby mortally to offend the greater part of his party, did not shrink from the same action in regard to Catholic Emancipation, once he realized where his duty lay.

It was clear to him that the example set by Clare would galvanize the whole country into similar action.

"It is true," he says, "that Mr. O'Connell was the most formidable competitor whom Mr. Fitzgerald could have encountered; . . . but he must be blind indeed to the natural progress of events, and to the influence of example in times of public excitement, . . . who could cherish the delusive hope that the instrument of political power shivered to atoms in the county of Clare could still be wielded with effect in Cork or Galway.\* The Clare Election supplied the manifest proof . . . that the sense of a common grievance and the sympathies of a common interest were beginning . . . to unite the scattered elements of society into a homogeneous and disciplined mass, yielding willing obedience to the assumed authority of superior intelligence hostile to the law and to the Government which administered it."

In face of such a state of affairs the Home Secretary realized that the time for coercion had passed. How was the new situation to be met? "Restrict the franchise," was the facile answer of the die-hards, but Peel realized that this would only have the opposite effect to that which was desired. Such an act of persecution would kindle

\* As a matter of fact, before the Clare Election, Catholic Association candidates had defeated the landlord nominees in Louth, Monaghan, and Westmeath, and even in Waterford (the stronghold of the Beresfords), which had at first been considered hopeless. All this in 1826.

English sympathies with Ireland yet more, would put an end to any hope of an amicable settlement of the question; and while deprecating all concession to mere agitation, he felt strongly that in this case an exception must be made, and that the Protestants must climb down.

But there was another, and an even more vital, consideration which could not but weigh with Peel, and which hastened his conversion to the policy of Emancipation, and this was the very serious fact that he had good grounds for believing that the fidelity of the troops themselves could not be relied on. Nor was this fear by any means fantastic. It was shared by the Lord-Lieutenant and even by Major Warburton, the officer commanding the troops in question. I will be forgiven if I quote the passage (incidentally a fine specimen of prose) in which Sir Robert gives expression to this belief.

"I deliberately affirm," he writes, "that a Minister of the Crown, responsible at the time of which I am speaking for the public peace and the public welfare, would have grossly and scandalously neglected his duty if he had failed to consider whether it might not be possible that the fever of political and religious excitement which was quickening the pulse and fluttering the bosom of the whole Catholic population—which had inspired the serf of Clare with the resolution and energy of a freeman—which had in the twinkling of an eye made all considerations of personal gratitude, . . . local preferences, the fear of worldly injury, the hope of worldly advantage, subordinate to the one absorbing sense of religious obligation and public duty; whether, I say, it might not be possible that the contagion of that feverish excitement might spread beyond the barriers which, under ordinary circumstances, the habits of military obedience and the strictness of military discipline oppose to all such external influences."

In point of fact, the soldiers were becoming divided into two camps, and on July 12 "the guard at the Castle had Orange lilies about them: the officer very properly took them away." The Lord-Lieutenant urged that the dépôts of Irish recruits should be gradually removed and Scottish soldiers sent to replace them. It is hard to see how the Government could expect anything else from the Irish soldiers; it was certainly not fair to subject their discipline to such a strain.

There now arose, of course, the question as to what would happen in view of the fact that O'Connell was disqualified by his religion from taking his seat in the Commons. The Government did not expect that he would put in an appearance at all, but if he did he was to be given no opportunity of addressing the House, but the oaths would be at once tendered to him, and on his refusal to take them he would be considered merely as an intruder and treated as such. That was the programme, but it was realized that the problem went deeper than that. On the one hand, it was felt impolitic for Parliament to allow such an "evasion of the law" as to permit one who cannot attend the House to exercise the other privileges of a Member; and, on the other hand, if a new writ for election were issued, there was nothing to prevent him from again presenting himself for election in Clare. The situation would then be similar to that which arose in the previous century over the case of John Wilkes and the famous Middlesex election. The Government was naturally unwilling to risk the recurrence of such a crisis.

As a matter of fact, the Lord-Lieutenant of Ireland, lamenting the state of the country, and in the utmost straits to find a solution to the trouble, proposed what seemed a real counsel of desperation. After describing the state of the country and the impatience of many with the helplessness of the Government, he says that even the most determined opponents of Emancipation say that it is better to leave things as they are rather than to risk any change.

"But," he writes to the Chief Secretary, "will things remain as they are? Certainly not. They are bad; they must get worse; and I see no possible means of improving them but by depriving the demagogues of the power of directing the people; and by taking Messrs. O'Connell, Sheil, and the rest of them from the Association, and placing them in the House of Commons, this desirable object would be at once accomplished."

Yet, by the irony of fate, less than a hundred years later, the House of Commons would be in many respects only too glad to see the last of the Irish party at Westminster, where it had proved a formidable power. However, the

Lord-Lieutenant felt that it was impossible to go on as at present, and that it was equally impossible to put down the Association by force, and that there was therefore only one other course to pursue—viz., concession, much as it went against the grain.

“I abhor the idea,” he says, “of truckling to the overbearing Catholic demagogues. To make any movement towards conciliation under the present excitement and system of terror would revolt me; but I do most conscientiously, and after the most earnest consideration of the subject, give it as my conviction that the first moment of composure and tranquillity should be seized to signify the intention of adjusting the question, lest another period of calm should not present itself.”

And this, as we have seen, was rapidly becoming the opinion of Peel also.

In point of fact, by July of this year the prospect in Ireland was, from the English point of view, extremely gloomy. An air of brooding expectancy hung over the land, and on all sides was to be heard the opinion that rebellion might be expected at any moment. Lord Anglesey at this time reports that “there is a sullen, gloomy discontent amongst the Catholics that surpasses everything that has been hitherto known. . . . They formerly were communicative. . . . They are now silent and reserved. No money will tempt any one of them to make a single disclosure. There is a general impression among them that some great event is at hand.” In consequence of the general state of affairs the Duke of Wellington had, by the beginning of August, come to the conclusion that some measure of concession was essential, and proposed that Emancipation should be granted, but that the offices of Lord Chancellor of England, Lord-Lieutenant of Ireland, and First Lord of the Treasury should remain closed to Catholics. Peel, while protesting that he was still opposed to Emancipation on principle, confessed that evils to be anticipated from it were less than those which would arise from a continuance of the existing troubles in Ireland. He promised, therefore, to give wholehearted support to a measure granting “ample concession and relief,” but preferred that he should



not be given the charge of conducting the Bill through the Commons. He proposed to resign from the Government and to support the Bill in his private capacity, by which means he thought he could help it the more. He thought the Catholics would be suspicious and hostile to a measure proposed by one who had so consistently been opposed to all concession. It cannot be denied that in proposing such a course of action Peel was acting in an extremely generous and upright manner. Twenty years later he re-read the letter to the Duke in which he had expressed these opinions and fully approved of every word he had then written, and this despite the fact that he knew his decision would expose him to the rage of his own party, rejection by his constituency (the University of Oxford), loss of private friends, loss of office, and deprivation of the Royal favour. Seldom has principle been lived up to at such a cost.

#### IV

For the present Peel's resignation did not come into effect, and, moreover, the intention of the Duke of Wellington of granting Emancipation was still a strict secret known only to himself, the Lord Chancellor, and Peel. Before the news should become public there were a number of intricate but highly important points upon which the Duke must first make up his mind. Of these, the most critical were the extent of the *civil* rights to be accorded the Catholics, the qualifications for exercising the franchise, and, most difficult of all, the future relations of the Catholic religion to the State. We have not space here to enter into at any length the highly interesting considerations which were put before the Duke on these points, but some indication of the difficulties must be given if the situation is to be adequately appreciated.

With regard to civil rights it seemed clear that once exclusion by law had been abolished, the one safeguard against undue Catholic influence would rest in the Crown. The Catholics would be *eligible*, but not entitled to office. This raised the question of Catholics in Parliament.

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Should there be a limitation of the number of Catholics to be allowed in Parliament at one time, and, moreover, should there be a restriction on the right of Catholics to vote on questions concerning the Established Church? In favour of the first limitation, that of numbers, it was argued that this was justifiable in view of the fact that already the numbers that might represent Ireland and Scotland at Westminster were limited, but Wellington felt the undesirability of annoying the Catholics by such a restriction. That there was in reality little to fear from the danger suggested by the second limitation (that of the right to vote in matters concerning the Established Church) subsequent history, and notably the recent crisis over the Anglican Prayer-Book, has abundantly shown.

But the real crux of the situation was the attitude to be adopted by the State towards the Catholic Church (and it is significant that in all the discussions on this point it is the Church in Ireland, not the English Catholics, that is considered, the Church in England apparently not being at that time thought worth troubling about. Yet it only wanted twenty-two years to the re-establishment of the Catholic Hierarchy in this country—a fact which would have greatly astonished the Government of the day could they have foreseen it).

The question to be decided was whether Catholicism in Ireland should be left on its present footing (*i.e.*, tolerated, but not encouraged), or whether it should be partially established and given that degree of State sanction which would be implied by the donation of Government "salaries" to the priests. With regard to the second alternative, it had to be considered that if priests were paid by the State, then the Dissenters would demand like treatment, and would, moreover, probably strenuously object to helping to pay the priests of a Church to which they were intensely hostile. Again, if the priests were to be paid, would they also be allowed to receive stole fees, Easter dues, etc.? If so, it was urged that their position would be better than that of the ministers of the Established Church; while if they were not allowed to receive these, then, it was held, there would be provided by law "gratuitous administration

of the ceremonies of the Roman Catholic Church" which would probably have a considerable effect on the poorer classes of Protestants and on mixed marriages; "the non-payment of any fee may be a very powerful stimulus to the conversion of a labouring man." Finally, the Government had to consider that the payment of a sum annually for this purpose (£300,000 was the amount suggested) would constitute a virtual supersession, if not repeal, of the laws prohibiting intercourse with Rome. This being so, it would mean that the Government would be incapable of reviving, should they so desire, the dormant Statute of Præmunire with any degree of fairness.

I have mentioned these particulars in order to give some idea of the difficulties and intricacies with which the Government were faced, and their task was not made easier by the most alarming reports which were constantly being received from all over Ireland as well as from the Lord-Lieutenant. Catholics and Orangemen were alike parading with banners and in semi-military fashion, and by September of this year (1828) the country appeared to be on the verge of civil war. As a result of these reports, Peel came to the conclusion that the time had come when forbearance would merely be weakness, and he strongly urged the Irish Government that they should be prepared to put down (by force, if necessary) the large and formidable meetings that were being held every Sunday by Catholics in the South and by Protestants in the North. He advocated, however, that the first thing to be done was to take the opinion of the Law Officers of the Crown as to whether these meetings were illegal, and, if so, whether the Government would be justified in using force to suppress them, and that, should these questions be answered in the affirmative, there should first be issued a strongly worded Proclamation announcing their illegality and the determination of the Government *at all costs* to suppress them.

Curiously enough, Peel's letter containing this advice was "crossed" by one to him from the Lord-Lieutenant, suggesting precisely the same procedure and showing the same determination, and accordingly the legal advisers of

the Crown (both Irish and English) were consulted, and in due course gave their opinion that the meetings were illegal and that force would be justified for their suppression. At the same time, they cautioned the Government against actually using force, pointing out that, in the event of bloodshed, the relatives of the injured could bring a suit against the Government, and the legality of the Government's action would have to be tried in *Ireland*, possibly with disastrous results to the influence of the Crown. On receipt of this opinion the proposed Proclamation was issued in October, and seemed to bear fruit at once. Attendance at the meetings (which were semi-military in character) fell off, and, moreover, the Catholic Association at once issued a Proclamation discountenancing further organized meetings in the South.

As a specimen of the letters at this time coming from Ireland and describing the state of the country (and it was considered so serious that a number of regiments of cavalry and infantry were held in instant readiness on the Welsh coast for embarkation for Ireland), there may be quoted here some extracts from a letter by Lord Francis Leveson Gower (the Chief Secretary), dated December 2, 1828. He writes as follows:

" . . . I entertain a serious apprehension that the appetite for disturbance which notoriously exists among the peasantry in certain parts of Ireland, most especially in Tipperary, must be gratified sooner or later, and that it will not subside till the unfortunate and deluded people shall have found by bitter experience that Government is the stronger party . . . (Those) with whom I have had personal communication agree in describing the peasantry of Tipperary as perfectly organized, and impressed to a man with the notion that some great object is shortly to be effected by force in their favour . . .

"I have little doubt that the peasantry of the South at present look forward to the period of O'Connell's expulsion from the House of Commons as the time for rising, but any occurrence in the interval which should appear to be adverse to the interests of the Roman Catholic body might precipitate this result. I do not believe that there is a man in Ireland more alarmed at this aspect of affairs than O'Connell. Sheil has for some time sedulously kept away from the Association.

"I have not made the above statement of my opinion with any view of suggesting the adoption of measures. I do not conceive it possible, by any precaution, absolutely to prevent an explosion, if the course of events should lead to it. . . ."

And he adds, thereby giving us a miniature etching of the situation at that time :

"I mentioned some time since that a violent spirit of resistance to the law had shown itself at Doneraile. I was glad to hear from Major Miller that, by a system of nightly patrol in that neighbourhood, he had succeeded in effectually checking that system."

And so, amidst storm and stress, the year wore to its close, and its passing saw the Government of the Duke of Wellington still unable to make up its mind to make the plunge and to grant concession. There had been many defections from the ranks of the Ministry and there were to be yet more, and notably, of course, the Duke was perfectly aware that he might lose the powerful support of Peel at any moment. But before the old year actually expired there was to be a new Lord-Lieutenant in Ireland. We have already seen sufficiently plainly the sentiments of Lord Anglesey on the subject of concession, that he hated the idea, but that he nevertheless considered it essential, and we can therefore easily understand the action which led to his recall. On December 11 the Duke replied to a letter he had received from one of the Catholic Archbishops, Dr. Curtis,\* and in the course of his reply he stated that there was little prospect of a settlement of the question unless the friends of Emancipation would allow the subject to be buried in oblivion for a short time and give themselves to consideration of the difficulties inherent in the matter. This was hardly likely to be acceptable advice in Ireland, and Dr. Curtis indignantly refused to bury the subject at all. Unfortunately for the Government, Lord Anglesey had read the Duke's letter, and he took grave exception to it and wrote to Dr. Curtis on the subject in a most uncompromising manner. The only result of this,

\*-Archbishop of Armagh.

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however, was that the Duke regarded the letter as a resignation, and the Marquis of Anglesey forthwith ceased to be Lord-Lieutenant of Ireland.\*

#### V

The year 1829 dawned with the Government still apparently determined to rule Ireland with a high hand, and still having no serious intention of granting Emancipation (an attitude emphasized by the recent dismissal of the Lord-Lieutenant), but already before the end of January sensational rumours were afoot, and the gossips of London were busy with the story that there was a decided alteration of opinion on a most important subject, shared by the King and his ministers. The tale was nothing less than that the King, despite his assurances to the Anglican clergy, had given up the idea of further opposition to Catholic Emancipation; that Wellington, in spite of his lifelong opposition to such a measure, was about to bring it forward in the Cabinet; and that Peel, although he had once retired from Canning's Government because he would not support Emancipation, and had (as we have seen) long been one of the leaders in opposition to any such measure, was about to introduce a Catholic Relief Bill to the House of Commons with all the energy at his disposal.

Such were the rumours afloat, and Protestants stood aghast at the prospect, many refusing to believe the news. In truth, we can well imagine even at this distance of time the sensation which must have been caused by such startling recantations on the part of the leaders of the nation. Seldom has such a *volte-face* been witnessed in the political history of the country. And yet what seemed to the nation at large so startlingly sudden had in reality (as the above-quoted correspondence has abundantly shown) been long maturing. Nevertheless the situation was not without a considerable

\* His relations with the King and with Wellington had long been strained, as it was thought that he was too favourable to the Catholics. The King had wanted to recall him in August, and Wellington actually decided to do so in December, *before* the Curtis affair. This last matter hastened, but did not cause, the recall. He returned as Viceroy in the Whig Ministry of Lord Grey in 1830, with a great reputation in Ireland for justice and fair play.



element of humour, for it would be difficult to determine which of the three principals in the case—the King, Wellington, or Peel—most disliked the step they were about to take. Most assuredly is it true that it was no love for the Catholics, nor even any elementary considerations of justice, which moved them to take that step. The unflagging efforts of O'Connell were about to be crowned with success, and the grim determination of the despised Irish peasantry to meet with its long-delayed reward.

The first step was taken before the opening of Parliament. Early in January Wellington had an interview with the Archbishop of Canterbury and the Bishops of London and Durham with the object of persuading them that it was against the interests of the Protestant Church to offer further resistance. Had he been able to secure their support, it would probably have gone far in influencing the still reluctant King. The three prelates, however, declined to give any sanction whatever to the proposed proceedings, and stated their intention of resisting to the utmost any removal of the Catholic disabilities. There now supervened a most anxious period for the Government, for they had to face the hostility of the King (who was still at heart as much opposed as ever to any concessions), the hostility of the House of Lords, which had been consistently anti-Catholic throughout, and the hostility of the Church as expressed by the above three bishops, and yet there was no time to lose, for Parliament would soon be reopening and the policy of the Government would have to be declared in the King's speech. At any moment the King was expected by many to make a public declaration against Emancipation, basing his objection, as his father had done, on conscientious grounds, and if he did this the consequences in Ireland might well be disastrous. Wellington, in fact, almost despaired of success in his attempt to induce George IV to declare himself willing to sign a Catholic Relief Bill.

At this critical juncture Peel addressed—nominally to the Prime Minister, in reality to the King—a powerful Memorandum in which, after showing once more the impossibility of taking up an attitude of determined

resistance to all concession or of applying coercion in Ireland, he pointed out the great evils arising from allowing the matter to stand any longer as it was. These evils, he considered, were the continued friction between the Lords and the Commons, the increase of power given to the Catholics by the fact that the Commons had repeatedly declared in their favour, the fact that out of 30,000 regular infantry in the United Kingdom no less than 25,000 had, since the previous autumn, been stationed either in Ireland itself or on the west coast of England; and, finally, that the state of excitement in Ireland would soon render trial by jury in that country impossible owing to the impossibility of securing an impartial jury. He reiterated his desire to resign in order that he might have the more freedom to help the Government to pass a measure of concession, but this the King was unwilling to grant, and ultimately Peel agreed to remain in the Government and to promote the Bill from the Treasury Bench.

This Memorandum had some effect on the King, and on January 12 the Ministers who had hitherto opposed Emancipation had separate interviews with him, in the course of which they expressed their agreement with Peel. The upshot was that at last the Government received permission from the King to consider the whole state of Ireland and to submit their views to him—*i.e.*, the matter was now made a Cabinet question officially. George IV, however, added to his permission a stipulation that by his consent to this course "he was in no degree pledged to the adoption of the views of his Government, even if it should concur unanimously in the course to be pursued." The Government had, then, made at least some progress, but there remained only three weeks before Parliament was due to meet, and consequently the Government proposals with regard to Ireland had to be drawn up as quickly as possible and the general line of the Royal Speech made clear.

After considerable discussion in the Cabinet the draft of the King's speech was prepared and submitted to His Majesty. To this speech he gave a reluctant approval, and it was duly read on February 5 when Parliament reassembled. Couched in cautious language, it nevertheless

showed that the Government was determined as a preliminary to suppress the Catholic Association, and it went on to invite Parliament to "review the laws which impose civil disabilities on His Majesty's Roman Catholic subjects." The members were to consider whether these could be removed "consistently with the full and permanent security of our establishments in Church and State, with the maintenance of the Reformed Religion established by law, and of the rights and privileges of the Bishops," etc. "These are institutions," the speech proceeded, "which must ever be held sacred in this Protestant kingdom." It concluded by appealing for a temper of moderation which would ensure a successful issue of their deliberations.

This speech, confirming all the fears of the ultra-Protestants, produced a ferment in the public mind. Clergy and laity of the Church of England held meetings in which the utmost alarm was expressed, and petitions flowed in upon both Houses. Nevertheless very many English Protestants were unfeignedly thankful that at last there seemed to be some prospect of justice being accorded to the Catholics of the United Kingdom and a term put at last to the continual disorders and alarms to which the country had for so long been subjected. Of course, the Grenville Whigs were pleased, though that their pleasure was qualified by the manner of the giving of the concession is clear from the following extracts from a letter written by their leader, Lord Grenville, two days after the Speech from the Throne. It may be taken to represent the feeling of a not unimportant section of the Commons.

"You will have heard of the strange revolution of conduct (though not of opinion) which has taken place here. It is most gratifying to me to have at last a prospect of living to see the accomplishment of a measure to which so much of my life has been devoted. . . . But I must say I never saw an act of conciliation (if for such it is really intended) done in so ungracious and peevish a form; and if the needless irritation thus studiously created should still, as it too probably may, give rise to fresh difficulties, the little I can do must be done in such way as may give expression to those feelings. . . .

"What is really quite inexplicable is that with such a purpose, taken, as he (Wellington) now says, so long ago as

last autumn, he should have kept Ireland for six months on the verge of a civil war, giving continually fresh scope and fresh fuel to the mutual irritation on both sides the water, and crowning the whole by the letter to Curtis, and the recall of Lord Anglesey!"

Such was one view taken of the proceedings, but a very different attitude was taken up by the University of Oxford, which was Peel's constituency. The members of the University found themselves unable to stomach the complete change of policy adopted by their representative in Parliament, and by the end of the month Peel had ceased to be a member of the House of Commons. Oxford had turned and would have none of him.

In accordance with the indications hinted at in the King's speech the Government promptly brought in a Bill for the suppression of dangerous associations in Ireland. This Bill was introduced by Peel on February 10 and passed its final reading in the Commons on the 16th. By the 24th of the month it had been read a third time in the Lords. Meanwhile Peel, having lost his seat in Parliament, had to find a new constituency, and was offered Westbury. For this town he was duly elected, though only with considerable difficulty, and took his seat in the Commons on March 3, giving notice that very day that on the 5th of the month he would introduce the Government measure for the removal of Catholic disabilities.

Then there took place a curious incident. On the evening of this day on which the Government intentions had thus been officially announced, Wellington, Peel, and the Lord Chancellor were suddenly ordered to attend on the King at Windsor early the following morning. On their arrival there the King reminded them that he had only consented with the greatest reluctance to the Government taking up the matter of the Catholic disabilities, and he now stated that he wished to know more precisely what were the proposals comprising the Government Bill to be introduced on the following day. Thereupon Peel told him that it was proposed to abolish altogether the Declaration against Transubstantiation which had hitherto been exacted from all holders of office, and also to modify in the

case of Catholics the Oath of Supremacy. Henceforth the Catholic would only have to deny the temporal and civil jurisdiction of the Pope in England, and not, as hitherto, his spiritual and ecclesiastical jurisdiction.

As soon as he heard about the Oath of Supremacy, however, the King at once broke in: "What is this? You surely do not mean to alter the ancient Oath of Supremacy!" The ministers explained that this was essential if the measure of relief was to be effective at all. To this the King replied that, be that as it might, he could not possibly consent to any alteration in the Oath of Supremacy, and he declared that his consent for the initiating of the proceedings had been given under a misapprehension, and that therefore he must retract it. He then proceeded: "But after this explanation of my feelings, what course do you propose to take as my ministers?" The situation was, of course, an extremely unpleasant one for them, for they had already announced to Parliament their intention of introducing the Bill. Peel therefore replied that he must ask the King to accept his resignation, and the other two answered in a like sense, whereupon the King expressed the greatest regret at losing them and graciously accepted their resignation. The interview had lasted five hours without a break, but this was the entire substance of it.

We can easily imagine what excitement would have been caused throughout the country had this incident become known, for it was a political crisis of the first magnitude. As it was, the three statesmen returned to London and announced to their astonished colleagues (who were at the moment attending a Cabinet dinner at Lord Bathurst's house) that they had ceased to be members of the Government. Fortunately, however, for all concerned and for the country at large the King changed once more. He had thought better of it during the night, and had discovered, as he said, that there would be so much difficulty in forming another administration that he could not dispense with their services. He therefore asked them to withdraw their resignations, and gave them leave to proceed with the measure.

Accordingly on March 5, 1829, the famous Bill was introduced by Peel to the House of Commons. Any discussion here as to its nature would be beyond the scope and purpose of this article, and it need but be recorded that after two days' debate it passed its first reading by the substantial majority of 188. Thirteen days later it passed the second reading by an almost equally large majority, and on March 27 it was read a third time, the majority being 178. Two days after the second reading the country was electrified by learning that the Prime Minister (Wellington) had fought a duel at Battersea Fields with the Earl of Winchelsea. The Earl had written a furious letter, accusing the Duke of duplicity, of "being determined to break in upon the Constitution of 1688," and of seeking, under the outward show of zeal for Protestantism, "to carry out his insidious designs for the infringement of our liberties, and the introduction of Popery into every department of the State." On the Earl's refusal to withdraw this charge the Duke sent him a challenge. At the meeting the Duke fired without effect, and the Earl then fired his pistol in the air, after which he tendered a written apology which was deemed satisfactory, and the comedy concluded. It had, however, the effect desired by Wellington, for it cleared the air of the constant calumnies to which he had long been subjected. "I am afraid," wrote Wellington to a friend shortly afterwards, "that the event itself shocked many good men; but I am certain that the public interests at the moment required that I should do what I did."

Meanwhile the King was far from resigned to his fate, and his dissatisfaction was sedulously fed by the Duke of Cumberland, the most bitter of all the opponents of the Catholics. During March the Lord Chancellor (Eldon) had several audiences with His Majesty, in the course of which the King expressed himself very strongly on the subject, and declared that it was with the utmost pain and reluctance that he had acted on the advice which he had received from his ministers, who had, to all intents and purposes, presented a pistol at his breast. Lord Eldon also reports the King as saying that he was "miserable and



wretched, and that his situation was dreadful";\* furthermore, "that if he gave his assent to a Roman Catholic Relief Bill, he would go to the Baths abroad, and from them to Hanover; that he would return no more to England, and that his subjects might get a Catholic King in the Duke of Clarence" (afterwards William IV).†

In the meantime, however, the Bill pursued its victorious course. Having been read a third time in the Commons, it was introduced into the House of Lords on March 31 by the Duke of Wellington, and read a first time. On April 2 there was a very lively debate which continued for three days, after which it was read a second time with a majority of 105. The third reading passed on April 10 by a majority of 104, after a strong protest from a number of Protestant peers.‡ Its passage through the Lords was marked by a violent speech by the Duke of Cumberland. The Rt. Hon. Thomas Grenville wrote to his relative, the Duke of Buckingham, on April 9:

"Lord Eldon's last dying speech over the Protestant cause will be followed to-morrow, as we are told, by one from H.R.H. the Duke of Cumberland, in which he will announce that if the King gives his assent to this Bill, he, the Duke, will quit the country, never to return to it! There is some fear that a declaration to that effect may produce a very general cheer even in the dignified assembly of the House of Lords."

In actual fact this announcement was made by the Duke in the course of his speech.

And so the great Bill had been passed and the victory had been won, or rather another great step forward in the full Emancipation of Catholics had been taken—a step towards the abolition of all penalties incurred by them on account of their religion. The remainder of the Session contained nothing noteworthy in this connection beyond the fact that O'Connell attempted to take his seat in Parliament, but was prevented by the Speaker, the new oaths for Catholics not yet being in force.§ There was naturally

\* Peel, *op. cit.*, p. 274.

† William had, as a matter of fact, both spoken and voted in favour of Emancipation in the House of Lords.

‡ The Royal Assent was given on April 13.

§ O'Connell's claim, despite his able arguments, was disallowed by 190 votes to 116. He had to be re-elected for Clare.

much curiosity in English political circles as to how the Catholic members would comport themselves when returned to Parliament, and particularly concerning O'Connell himself. It is interesting to notice the words of Wellington on this subject. On December 30, 1829, he wrote to a friend :

“ I do not think that however bad O'Connell is, it is quite clear that he will not retain or regain his influence in Ireland. If he should be vulgar and violent in Parliament, nobody will listen to him after the first day and he will lose his influence everywhere. But he is a very diligent and a very able lawyer, and a good debater; and if he should be only moderate in his language, and behave at all like a gentleman, he will be listened to, and his influence will be greater than ever. You may rely upon it that I will not knowingly lose one particle of the advantage acquired by the Roman Catholic measure. But I think that the Roman Catholics might have conducted themselves better than they have done.”

And so we may conclude this sketch of the interior workings of the Government machine at this great time of crisis. We leave O'Connell in the hour of triumph on the threshold of that Parliament which for so many years he had striven to open to his fellow-Catholics, and which was to be the scene of his labours and triumphs in the years to come. His triumph had been hardly won and fully earned.

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